



**SPIRIT**



**SPENCER'S**

**ASSOCIATE HANDBOOK**





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**This Store Associate Handbook supersedes the Spencer's/Spirit May 2020 Store Associate Handbook Edition.**



# **IMPORTANT INFORMATION** **ABOUT THIS STORE ASSOCIATE** **HANDBOOK AND YOUR RELATIONSHIP** **WITH SPENCER GIFTS LLC AND/OR** **SPIRIT HALLOWEEN SUPERSTORES LLC.**

This Store Associate Handbook has been prepared to **provide you with general information and guidelines** about working at any Retail Store operated by Spencer Gifts LLC and/or Spirit Halloween Superstores LLC.

**THIS HANDBOOK IS NOT INTENDED TO, NOR DOES IT CONSTITUTE, AN EXPRESSED OR IMPLIED CONTRACT OR PROMISE OF EMPLOYMENT. EACH STORE ASSOCIATE HAS AN AT-WILL EMPLOYMENT RELATIONSHIP WITH SPENCER GIFTS LLC AND/OR SPIRIT HALLOWEEN SUPERSTORES LLC THIS MEANS, EITHER YOU OR SPENCER GIFTS LLC AND/OR SPIRIT HALLOWEEN SUPERSTORES LLC HAS THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP WITH OR WITHOUT CAUSE AND WITH OR WITHOUT NOTICE.**

This Handbook supersedes any previous editions issued by **Spencer Gifts LLC and/or Spirit Halloween Superstores LLC.**

Representations or agreements made by anyone which are contrary to the Company's policies or procedures, including, but not limited to, the Company's At-Will Employment Policy, are not authorized unless in writing signed by the President/Chief Executive Officer of Spencer Gifts LLC and/or Spirit Halloween Superstores LLC.

# Welcome

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## **Welcome to Spencer Gifts LLC/Spirit Halloween Superstores LLC!**

**We're glad you decided to join our Team!** It doesn't matter which team you have decided to join – Spencer's or Spirit Halloween, you made the right choice coming to work for our Company! First and foremost we are totally focused on providing our customers, "Guests" as we call them, with a positive and enjoyable experience. As a Spencer's/Spirit Halloween Store Associate, at every level, it is our first job to ensure that our Guests are treated well.

As you would expect, in order to create and maintain the right environment of respect for our Guests and fellow Associates, we do have some ground rules. In this handbook, you will find some of the basic policies and procedures we adhere to at Spencer Gifts LLC/Spirit Halloween Superstores LLC. These policies and procedures are meant to help us stay focused as we plan the Guest experience and make it successful...together. As you read through it, we encourage you to ask questions and seek examples of how we uphold these policies and procedures in everything we do.

I want to leave you with one thought as you begin your journey with us: As a Spencer Spirit Holdings Associate, both Spencer's and Spirit Halloween, you are entrusted with our most valuable asset – our Guests. We expect all of you to understand what it takes to make our Guests feel welcomed and to want to come back. Mostly this is rooted in common sense. You will never know or memorize every detail. Instead, try to become familiar with how we do things and why. Don't be afraid to ask questions. And most of all, we trust and expect you to always do the right thing.

So, whether you have selected to be a host at Spencer's Party – working at the coolest store on earth while bringing our mission statement to life "Life's a party! We're makin' it fun", and/or, you have chosen Spirit Halloween, where you have an opportunity to assist our Guests in allowing their creativity and imagination to run wild bringing the mission, "It's so much fun, it's Scary" to life, you will be working hard and having fun!

We are one team and proud to have you as a member. Welcome to Spencer Spirit Holdings, Inc., the coolest and most fun Company on earth.

Steven Silverstein  
CEO/President

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# **Spencer's Mission Statement**

**Life's a Party!  
We're makin' it fun.**

## **OUR COMPANY, OUR PURPOSE**

### **WE ARE LEADERS AND OWNERS OF OUR BUSINESS SUCCESS.**

ACCOUNTABILITY IS THE NAME OF OUR GAME – WE WILL DELIVER SUSTAINABLE, PROFITABLE GROWTH BY STRIVING FOR EXCELLENCE IN ALL THAT WE DO... IN OPERATIONS, MERCHANDISE AND MOST OF ALL, OUR GUEST EXPERIENCE.

WE CELEBRATE OUR WINS AND OWN OUR LOSSES, ALWAYS LEARNING FROM BOTH, WHICH ENABLES US TO PAVE OUR PATH AND CONTROL OUR DESTINY.

### **WE EMBRACE CHANGE THROUGH INNOVATION, CURIOSITY AND THOUGHTFULNESS.**

OUR PERFORMANCE IS MEASURED BY A SHARED VISION AND DRIVEN BY LIMITLESS CREATIVITY FROM OUR ENTIRE TEAM.

### **WE DO THE RIGHT THING ALWAYS – INTEGRITY, FAIRNESS, RESPECT AND TRANSPARENCY ARE OUR FOUNDATION.**

WE PUT OUR ASSOCIATES AND OUR GUESTS FIRST – OUR INVERTED PYRAMID DEFINES OUR PRIORITIES AND OUR COMMITMENT TO OUR COMMUNITIES.

### **WE EMBRACE ALL.**

WE ARE ALL HUMAN – BE YOURSELF. WE ARE INCLUSIVE AND VALUE DIFFERENCES. WE DO NOT JUDGE. WE ARE AUTHENTIC, PROFESSIONAL PROVIDERS OF FUN – THIS DRIVES OUR BRANDS AND IS THE REASON WE EXIST.

### **WE ARE ONE TEAM WITH ONE GOAL.**

WE WILL ACHIEVE GREATNESS AS AN ORGANIZATION – THROUGH AN ENVIRONMENT OF TRUST, CONFIDENCE, COLLABORATION AND SAFETY FOR ALL, EVERY DAY AND EVERYWHERE.

**SPENCER'S SPIRIT**

## **Our Operating Principles**

- ◆ Understand and be totally focused on Spencer's Unique Guest.
- ◆ Maintain the highest standards of integrity, quality, and timeliness in all of our business practices both internally and with our external partners.
- ◆ Operate with absolute fiscal responsibility.
- ◆ There is no "I" in the word TEAM.
- ◆ We sell FUN while having FUN.

## **Spirit's Mission Statement**

**So Much Fun It's Scary.**



# **Equal Employment Opportunity**

## **POLICY**

- ◆ It is the policy of Spencer Gifts LLC to make employment decisions without regard to race, religious creed, color, age, sexual orientation, gender, gender identity, gender expression, national origin, ancestry, marital status, medical condition as defined by state law (cancer or genetic characteristics), disability, military service and veteran status, pregnancy, childbirth and related medical conditions, or any other characteristic protected by applicable federal, state, or local laws and ordinances. In all matters related to recruiting and related advertising, selection, placement, training, pay and other forms of compensation, promotion, transfer, demotion, layoff, termination, and all other aspects of employer-employee relationships, decisions will be made and action will be taken to insure our commitment to equal opportunity.
- ◆ Spencer Gifts LLC recognizes that equal employment opportunity is the law of the land. In addition, the Company believes equal opportunity to be morally and ethically right. Moreover, we consider it to be in our best business interest, because our Company's continued success depends upon the effective utilization of our most qualified Associates and Applicants regardless of race, religious creed, color, age, sexual orientation, gender, gender identity, gender expression, national origin, ancestry, marital status, medical condition as defined by state law (cancer or genetic characteristics), disability, military service and veteran status, pregnancy, childbirth and related medical conditions, or any other characteristic protected by applicable federal, state, or local laws and ordinances.
- ◆ The policy of equal employment opportunity and anti-discrimination applies to all aspects of the relationship between the Company and its employees, including but not limited to: recruitment, employment, promotion, transfer, training, working conditions, wages and salary administration, Associate benefits and application policies.
- ◆ Any violation of this policy will not be tolerated and will result in appropriate disciplinary action, up to and including termination.
- ◆ No Associate will be subject to, and Spencer Gifts LLC prohibits, any form of discipline or retaliation for reporting perceived violations of this policy, pursuing any such claim, or cooperating in any way in the investigation of such claims.

## **DEFINITIONS AND DESCRIPTIONS**

- ◆ **Spencer Gifts LLC:** Spencer's and Spirit Halloween.

## **PROCEDURES**

- ◆ If an Associate believes someone has violated this policy, the Associate should bring the matter to the attention of a Human Resources representative or senior management.
- ◆ Spencer Gifts LLC will promptly investigate the facts and circumstances of any claim this policy has been violated and take appropriate corrective measures.

# **Company History**

**Spencer Gifts LLC operates two unique brands: Spencer's and Spirit Halloween with locations throughout the United States, Canada and Online.**

## **Spencer's**

Spencer's (formerly known as Spencer Gifts), is a lifestyle retail Company; a mall destination for entertainment, excitement and humor for over 70 years.

Originally founded in 1947 as a mail-order catalog Company, Spencer's has always been the leader in fun and the source for a large assortment of novelty merchandise no one needed, but everyone wanted. In 1963, the Company opened its first Spencer Gifts store in the Cherry Hill Mall in New Jersey where we continue our presence today. After 57 years, we are proud to be the longest operating store in the mall.

From the beginning, Spencer's has been a destination for fun with its differentiated and unconventional merchandising and product mix. In 2003, under new management, Spencer's raised the bar higher and set out to reinvent itself. Remaining true to its roots, Spencer's focused on its strong history and commitment to irreverence, humor and amusement. The result of this reinvention set Spencer's on the path to greatness.

A new store design (D1) was rolled out in 2004 and our stores became funky, industrial-looking spaces with an award-winning downtown club feel. The entire merchandise assortment was updated focusing on our newly identified 18 to 24-year-old Guests, Nikki and Jack, who are high-energy, technologically savvy, edgy and demanding. New product categories were introduced like room décor, Rock-and-Roll apparel, body jewelry, adult novelties and other products that match Nikki and Jack's independent lifestyle.

Today, Spencer's has 680+ stores throughout the United States, Canada, and online. Strong operating disciplines combined with our distinctive merchandising formula support our continued growth. We are committed to and focused on our core mission, "Life's a Party! We're Makin' it Fun."

In 2008, Spencer's launched Boobies Make Me Smile, which takes to the frontline in the battle against cancer with its campaigns both in-store and online with the sale of bracelets to increase cancer awareness in young people. Since its inception, Boobies has raised over \$6.5 million to support the efforts of non-profit organizations like the F-Cancer, Stupid Cancer, and the Young Survival Coalition – all which work toward prevention, education and support of young people with cancer.

## **Spirit Halloween**

Founded in 1983, Spirit was already a Halloween force when Spencer's acquired the then 63-store chain in 1999. Since then, the Company pioneered the rollout of a national, seasonal Halloween operation that has grown to over 1,370 locations in malls, strip centers and free-standing locations throughout the United States and Canada.

Spirit stores open in late August through early November each year, stocked with everything you need for Halloween including: costumes, masks, wigs, indoor and outdoor décor items, animatronics, makeup, collectibles, props and in-depth accessories. With its "So Much Fun It's Scary" mission statement, Spirit provides an entertaining and interactive experience for everyone with thousands of costumes including licensed characters from movies, television and media.

At the heart of Spirit Halloween is Spirit of Children. Established in 2006, Spirit of Children raises money through in-store collections and vendor donations to support the Child Life department at 147 partner hospitals across the U.S. and Canada. In its mission to make hospitals less scary for kids and their families, the program has raised over \$77 million through 2020, which provides fun and funding to hospitals in our communities at Halloween and all year long. Funds donated to hospitals support art, music and pet therapy for pediatric patients as well as the purchase of sensory products and educational materials including toys designed specifically for children with physical challenges, and allow hospitals to increase Child Life staff and extend hours to nights and weekends. Funds are also used to create playgrounds, playrooms, teen lounges and dedicated family spaces in hospitals – all to help Child Life Specialists provide emotional and therapeutic healing while doctors and nurses focus on medical treatment.

# Personal Data Changes

- ◆ It is the responsibility of each Associate to promptly notify their Store Manager of any changes in personal data, including: personal mailing addresses, telephone numbers, tax data and individuals to be contacted in the event of an emergency.
- ◆ Personal data changes can be made and confirmed at the store by the Store Management using the Associate Profile Maintenance Program (APM).
- ◆ Changes in name or Social Security number require a visual verification of the Social Security card.

# Employment Verifications

During an Associate's employment at Spencer Gifts LLC, it may be necessary for an outside agency (financial institutions, residential property managers, Social Services, etc.) to verify employment history and salary. This verification will be done through The Work Number, an automated, external employment verification service. The Company strictly forbids Associates to participate in recommendations and/or verifications for current or former Associates. In the event a former Associate requires an employment verification/reference, the resource below must be used.

**As an Associate, you can access/review the information available to verifiers through the following:**

- ◆ [www.theworknumber.com/employees](http://www.theworknumber.com/employees)
- ◆ 1-800-367-2884 (1-800-424-0253 for TTY-hearing impaired)
- ◆ Enter the Employer Code : 17700
- ◆ Social Security Number

**If you need proof of your (past) employment or income, the following must be used:**

- ◆ [www.theworknumber.com/verifiers](http://www.theworknumber.com/verifiers)
- ◆ 1-800-367-5690 (1-800-424-0253 TTY-hearing impaired)
- ◆ The Employer Code : 17700

**Information for Social Services Agencies:**

- ◆ [www.theworknumber.com/Social Services](http://www.theworknumber.com/Social%20Services)
- ◆ 1-800-660-3399 (1-800-424-0253 TTY-hearing impaired)
- ◆ The Employer Code : 17700

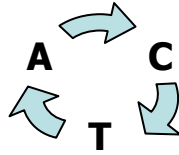
# Jack and Nikki

Jack & Nikki are not only real Guests, but they're also representative of every Guest in Spencer's. The large majority of Jack & Nikki are 18-24 years old, so that's to whom your party really caters. Keep in mind, that those Guests who embrace the mentality of Life's a Party, really embrace the whole Jack & Nikki outlook too, so age is not the only determining factor!

Jack & Nikki are extremely diverse, with interests ranging from music, video games, social media, cell phones, popular culture & movies, luv stuff, tattoos, body jewelry, self-expression, and most of all, having a good time. And when it comes to expressing themselves and making Jack & Nikki's party rock, Spencer's is their one stop shop! Check it out.

- ◆ **MUSIC:** Spencer's caters to their diversity, working with the biggest names in alternative rock, metal, goth, punk, hip hop, club, classic rock, rap, pop, country and reggae.
- ◆ **STYLE:** Spencer's knows Jack & Nikki want to make their style personal, so we bring them hot, unique silhouettes and categories like socks, tutus, body jewelry, watches, raglans, and laser-cut tank tops.
- ◆ **POP CULTURE:** This is their lifeblood & Spencer's party brings it to life for them through relationships with the likes of Deadpool, Dragon Ball Z, Harley Quinn, and Nightmare Before Christmas and more.
- ◆ **LUV STUFF:** Nothing rocks Jack & Nikki's world like each other and Spencer's provides the best world rockin' tools.
- ◆ **DECOR:** When it comes to putting a room or apartment together, Jack & Nikki know only 1 place --- Spencer's for posters, fleece, stash jars, plush, and of course lava.
- ◆ **PARTYING:** No one parties like Spencer's. You know it and Jack & Nikki do too! From great games like Personally Incorrect to classic gags like the Rubber Chicken to great Bachelor & Bachelorette party favors, at Spencer's Life's a Party & We're Makin' it Fun!

## Guest Service — A.C.T. Program



Superior Guest Service is critical to the success and profitability of Spencer's.

Every Store Associate uses the same Guest Service technique called "A.C.T." These three easy components are designed to make our Guests feel welcomed, let them know you are there to assist them, you are excited about our product and if you don't know all the facts you will search them out for the Guest. Most importantly, we're thankful for the Guest stopping by and joining our party!

Every Associate uses the A.C.T. approach to Guest Service:

**A**cknowledge, **C**onnect, and **T**hank.

Each letter stands for a step in the Guest Service experience:

- ◆ **Acknowledge** = Greet every Guest who enters the store with a smile, head nod, eye contact, greeting ("Hi", "What's Up", "Welcome", etc.)
- ◆ **Connect** = Find out what the Guest likes, is looking for or is interested in. Then share info with them (sales, benefits & features—demo product, new items, etc.)
- ◆ **Thank** = Thank the Guests for stopping in and/or making a purchase and always invite them to return.

## Guest Service — G.H.O.S.T.

Superior Guest Service is critical to any retail business, but especially to Spirit Halloween due to our condensed selling season. Our Guest only gets to visit our stores during the Halloween season and base their impression of Spirit on those seasonal visits. The G.H.O.S.T guidelines trained early on and sustained through the season will ensure Guest loyalty and our ultimate success. These components are designed as an easy means to remind all Associates of the basic Guest expectations that must be executed to every Guest, every day at Spirit Halloween:

**G**reet **H**ear **O**ffer **S**pirit Of Children and **T**hank.

Each letter stands for a step in the Guest Service experience:

**GREET** each and every Guest that enters your Spirit Halloween location with a smile and our universal greeting, "Welcome to Spirit Halloween!"

**HEAR** what the Guest is saying or asking. What are they looking for? How can you help?

**OFFER** suggestions to all Guests on how they can add to their Halloween "look" or offer items on promotion.

**SPIRIT OF CHILDREN!** Ask every Guest to donate!

**THANK** each and every Guest for coming to Spirit Halloween and invite them back! (Whether they make a purchase, a return or simply browse!)



# The Guest Experience

Whether in Spencer's, the "hottest" party store in the mall or Spirit Halloween, a truly impressive, unique and unforgettable shopping environment, we offer our Guests (Jack & Nikki) an experience which allows amusement and always offers the latest, greatest and trendiest merchandise.

When Guests enter one of our stores, they come looking for FUN! It's no great secret that Guests find our stores a source of entertainment, an overall fun experience brought about by our unique merchandise, trendiest Halloween offerings, exciting atmosphere and our unique and diverse Associates.

As a Host at this party you are expected to:

## **Prepare for the Guest's experience —**

- ◆ By keeping the store and stockroom clean, safe and properly merchandised and creating the party atmosphere.
- ◆ By staying current, by reading Company and store communications and participating in all assigned Learning Center training.
- ◆ By processing shipments, transfers and price adjustments on a timely basis.

## **During the Guest's experience —**

- ◆ Be polite and welcoming to all Guests entering the store, realizing each Guest entering the store is a potential purchaser.
- ◆ Show/tell our Guests about our newest merchandise, one of our top sellers or an exclusive costume.
- ◆ Encourage the Guest to pick up, play with and have fun with the merchandise in our store or have fun appropriately demonstrating.
- ◆ In Spencer's, additional items (add ons) are suggest, promotional items, new merchandise and Push Event items.
  - Utilize the A.C.T. Guest Service Program to involve the Guest in our party.
- ◆ In Spirit, our Guest is encouraged to try on the costumes in our store, suggest additional accessories to complete their costumes, help them decorate their home and request a donation to our Spirit of Children campaign.
  - Utilize the G.H.O.S.T. Guest Service Program to involve the Guest in our shopping experience.
- ◆ Request an email address from any Guest who is making a purchase.
- ◆ Have all battery items running. They will be your silent sales makers.
- ◆ Choose the Guest over tasks, every time.
- ◆ Remain focused on the Guests and refrain from personal conversations with co-workers or acquaintances.
- ◆ Friends and Family are encouraged to shop in our stores, however while you are on duty you are expected to devote your full attention to your job, your job responsibilities and not engage in personal conversations.
- ◆ Refrain from any personal conduct which alienates or discourages Guests from interacting with the merchandise or prevents an Associate from being accessible to each Guest.
- ◆ It is imperative that our Guests receive respect and courtesy. Anything less is unacceptable. Your job hinges on this.

## **After our Guest's experience —**

- ◆ Each Associate is responsible for recovering the store throughout the business day and in preparation for the next day's party. The Guest entering the store at 10AM should have the same shopping experience as the Guest entering the store at 8PM.

# The Inverted Pyramid

Spencer Gifts LLC's culture is embodied by one symbol—the Inverted Pyramid which places the Guests and Store Associates at the top. Home Office partners work for the field's success by supporting everything you do, so that our Guests' experience is Fun.



◆ The Inverted Pyramid comes to life when all Spencer Gifts LLC's Associates understand their responsibility. First, by understanding how Store Associates should use the Inverted Pyramid to communicate: ideas to improve our business, frustrations you may find or feel, trend merchandise information, questions or a different point of view about a direction we are taking, what you like and what you don't, FYI's of any kind, and progress you've experienced. The Inverted Pyramid is not about one purpose, but all of the above and more.

◆ As part of the field organization, you accept responsibility for sharing your insights and understand that you have a direct role in communicating the needs of the stores and our Guests, Nikki and Jack. The Inverted Pyramid makes Spencer Gifts LLC a better place to work and makes the party fun for Nikki and Jack.

# Training Programs

## **Spirit Halloween Associate Orientation**

- ◆ Each Associate, who is a new hire, needs to take the following: Ghost Certificate Program (Company orientation, Sprit of Children, Guest Services), PCI Compliance, Sexual Harassment Course (if required by State) and Dressing room management.
- ◆ Each Associate, who is a rehire, needs to take the following: Ghost Certificate Program (Company orientation, Sprit of Children, Guest Services), PCI Compliance and Sexual Harassment Course (if required by State).
- ◆ This training/orientation program must be completed by the second scheduled shift for every Associate.

## **Spencer's Sales Associate**

- ◆ The purpose of the Sales Associate Training Program is to orientate and train newly hired Sales Associates on the culture, standards and most importantly, Guest Service expectations and processes for Spencer's.
- ◆ This program, containing 3 or 4 specific initial training sessions, is to be completed within the first 2 weeks of employment.

## **Spencer's Sales Supervisor**

- ◆ The purpose of the Sales Supervisor Training Program is to orientate and train newly hired Sales Supervisors on the culture, standards and most importantly, Guest Service expectations and processes for Spencer's. This training program will assist the Sales Supervisor in understanding their role in supporting the Store Manager in the overall performance of the store by maximizing sales potential and controlling expenses and shrinkage.
- ◆ New Sales Supervisors will work with their Store Managers to complete the necessary initial training to successfully manage our store and our Sales Associates.
- ◆ This program, containing 6 specific training sessions, is to be completed within the first 3 weeks of employment.

## **Spencer's Assistant Store Manager**

- ◆ The purpose of the Assistant Store Manager Training Program is to educate and orient newly hired Assistant Store Managers on Spencer's culture, policy, procedure and standards. This training program will assist the Assistant Manager in understanding their role in supporting the Store Manager in the overall performance of the store by maximizing sales potential and controlling expenses and shrinkage.
- ◆ New Assistant Store Managers will work with their Store Managers their first week in the position to complete the initial necessary training to successfully manage our store and our Sales Associates.
- ◆ This program, containing 6 specific training sessions, is to be completed within the first 3 weeks of employment.

## **Spencer's Store Manager**

- ◆ The purpose of the Store Manager Training Program is to educate and orient newly hired Store Managers on Spencer's culture, policy and procedure and standards.
- ◆ New Store Managers will work with their District Sales Managers and an assigned Store Manager Trainer over the first two weeks in position to complete the necessary initial training to successfully manage our store and all levels of Store Associates.
- ◆ This program, containing 5 specific training sessions, is to be completed within the first 8 days of employment.



# Spencer's Design One Visual Merchandise

- ◆ The purpose of the Design One Visual Merchandise Training Program is to educate Spencer's Store Managers, newly hired or promoted into Design One Stores, on general visual merchandising principles, standards and policy.
- ◆ This training, held over 4 days, will provide the Store Manager with a visual merchandise skill set on how to merchandise and when to use different types of hardware, shelving, and fixtures, so they will be able to make sound visual merchandising decisions. This training will also create an awareness of the tools and resources a Design One Store Manager will use to be successful.

## Spencer's Area Manager

- ◆ The purpose of the Area Manager Training Program is to educate and develop newly promoted Area Managers in Spencer's multi-store supervision, procedures and standards.
- ◆ New Area Managers will work with their District Sales Managers and Regional business partners to complete the necessary training to successfully manage multiple stores and all levels of Sales Associates.
- ◆ This program comes with greater accountability and scope of responsibility. The program's other objectives are to test for skills, behaviors and capacities, that are essential to the District Sales Manager position.

## Career Roadmap

- ◆ The purpose of our Company's Career Roadmap plan is to support our culture of internal development, for our Spencer's Associates to grow professionally, which allows them to move into roles of progressively higher levels of responsibility. Being a participant in the plan requires a commitment on the part of each Associate seeking development - as well as an assessment by their Supervisor.
- ◆ Spencer's Career Roadmap provides a process for determining/assessing Management bench strength within the District, Region, and the Company, as well as an opportunity to assess that strength and develop plans for future (planned or unplanned) Store Management openings.
- ◆ The Associate's ability to earn a promotion depends on the availability of a position, the Associate's career aspirations, the outcome of their training and a complete assessment.
- ◆ Being introduced into the Next Step process does not guarantee an Associate will receive a promotion or an increase in pay, nor does it commit to a specific timeline.
- ◆ Ultimately, all promotions require approval by Field Management and Store Operations.
- ◆ If an Associate has any questions or is interested in participating in the Next Step process, they should speak to their District Sales Manager or Human Resources Regional Manager.

## Performance Evaluations

- ◆ **Management Associates** will be evaluated annually during the first quarter of each fiscal year. Refer to the Evaluations policy in the Policy & Procedure Manual on Trovato.
- ◆ **Non-Management Associates** may be evaluated after one (1) year of service.

**If you have any questions or would like more information, please call your District Sales Manager or Store Operations at :**

**Spencer's — 609.645.5308**

**Spirit — 609.645.5659**

# Your Employment

## Spencer's Sales Associate Job Description

**Job Title:** Sales Associate  
**Department:** Spencer's Store Operations  
**Reports To:** Store Manager  
**FLSA Status:** Non-exempt

### Summary

Responsible for assisting the store to achieve sales objectives by using effective Guest service techniques.

### Essential Duties and Responsibilities include the following:

- ◆ Responsible for selling store merchandise to Guests while maintaining the Company's standard in Guest service.
- ◆ Demonstrate merchandise according to Company guidelines and product knowledge.
- ◆ Operate the store register to accurately ring up sales.
- ◆ Assist with visual merchandising, stocking and general upkeep of the store.
- ◆ Must dress in a Spencer's provided t-shirt during any marketing promotions, as required.
- ◆ Other duties as assigned.

### Qualifications

- ◆ To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required.

### Education and/or Experience

- ◆ Must have at least 2 years secondary education and be at least 17 years of age.

### Computer Skills

- ◆ Ability to understand Microsoft Windows environment, use a keyboard and mouse.
- ◆ Ability to operate POS register system.

### Language Skills

- ◆ Ability to read and comprehend simple instructions, short correspondence and memos.
- ◆ Ability to write simple correspondence.
- ◆ Ability to effectively present information in one-on-one and small group situations to Guests.

### Mathematical Skills

- ◆ Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions and decimals.
- ◆ Ability to compute rate and percent.

### Reasoning Ability

- ◆ Ability to apply common sense understanding to carry out simple one-or two-step instructions.
- ◆ Ability to deal with people effectively.

### Other Skills and Abilities

- ◆ Must have excellent teamwork and interpersonal communication skills.
- ◆ Must be positive, courteous, energetic and enthusiastic in all aspects of Guest and Associate interaction.

### Physical Demands

The physical demands described here are representative of those which must be met by an Associate to successfully perform the essential functions of this job.

- ◆ While performing the duties of this job, the Associate is regularly required to: stand for long periods of time, walk, stoop, kneel, crouch, or crawl; use hands to finger, handle, or feel; reach with hands and arms; climb ladders/step stool and/or balance; regularly lift and/or move up to 50 pounds; talk and hear.
- ◆ Specific vision abilities required by this job include distance vision and depth perception.

**Disclaimer:** This information describes the general nature and level of work performed by Associates in this job. The description is not designed to be a comprehensive list of all duties, responsibilities, and qualifications required of Associates in this job. Reasonable accommodation may be made to qualified disabled individuals for the performance of essential duties and responsibilities.

May 2021

# Your Employment

## Spirit's Sales Associate Job Description

**Job Title:** Seasonal Sales Associate/Cashier  
**Department:** Spirit Halloween Store Operations  
**Reports To:** Spirit Halloween Seasonal Store Manager  
**FLSA Status:** Non-exempt

### Job Summary:

#### Sales Associate

- ◆ Responsible for helping the store to achieve sales objectives by using effective Guest Service techniques.
- ◆ Assist and encourage Guests in making costume selections.
- ◆ Responsible for maintaining the appearance of the sales floor and replenishing stock.

#### Cashier

- ◆ Responsible for operating the register by accurately ringing up sales.
- ◆ Accept payment for sales in accordance with Point Of Sales procedures and Company policy.
- ◆ Responsible for accuracy of cash drawer funds, paperwork and closing procedures.

### Essential Duties and Responsibilities include the following:

- ◆ Responsible for selling store merchandise to Guests while maintaining the Company's standard in Guest Service including acknowledgement of all Guests through verbal and non-verbal forms, such as a greeting, smiling and eye contact.
- ◆ Demonstrate merchandise utilizing product knowledge according to Company guidelines.
- ◆ Perform suggestive selling to encourage add-on sales.
- ◆ Follow zoning or station selling assignments.
- ◆ Assist with visual merchandising, stocking, reducing damages and defectives.
- ◆ Must be on time and ready to work each scheduled shift.
- ◆ Dress in the Spirit Halloween issued apron while on the sales floor.
- ◆ Perform sign waver duties in Spirit Halloween as requested by the Store Manager and/or Assistant Store Manager.
- ◆ Perform other duties based on business needs.

### Qualifications

- ◆ To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required.

#### Education and/or Experience

- ◆ Must have at least 2 years secondary education and be at least 16 years of age.

### Computer Skills

- ◆ Ability to navigate in a Microsoft Windows environment.
- ◆ Ability to operate Point-Of-Sale register system.

### Language Skills

- ◆ Ability to read and comprehend simple instructions, short correspondence and memos.
- ◆ Ability to write simple correspondence.
- ◆ Ability to effectively present information to our Guests one-on-one and small group situations.

### Mathematical Skills

- ◆ Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions and decimals.
- ◆ Ability to compute rate and percent.

### Reasoning Ability

- ◆ Ability to apply common sense understanding to carry out simple one - or two - step instructions in a fast-paced environment.
- ◆ Ability to deal with people effectively.

### Other Skills and Abilities

- ◆ Must have excellent teamwork and interpersonal communication skills.
- ◆ Must be positive, courteous, energetic and enthusiastic in all aspects of Guest and Associate interaction.

### Physical Demands

The physical demands described here are representative of those which are deemed necessary to successfully perform the essential functions of this job.

- ◆ While performing the duties of this job, the Associate is regularly required to: stand for long periods of time, walk, stoop, kneel, crouch, or crawl; use hands to finger, handle, or feel; reach with hands and arms; climb ladder/step stool and balance; regularly lift and/or move up to 50 pounds; talk and hear.
- ◆ Specific vision abilities required by this job include distance vision and depth perception.

**Disclaimer:** This information describes the general nature and level of work performed by Associates in this job. The description is not designed to be a comprehensive list of all duties, responsibilities and qualifications required of Associates in this job. Reasonable accommodation may be made to qualified disabled individuals for the performance of essential duties and responsibilities.

# Opportunities for Career Advancement

JOB DESCRIPTIONS ARE AVAILABLE IN THE ONLINE  
POLICY AND PROCEDURE MANUAL FOR:  
ASSISTANT STORE MANAGERS/SALES SUPERVISORS  
STORE MANAGERS/CO-MANAGERS

Spencer Gifts LLC heartily encourages the personal and professional growth of our Associates. With experience, training and hard work, Associates have the opportunity to take on additional responsibilities and advance within the Company. The following will give you an idea of the opportunities offered. Talk to your District Sales Manager or to a Human Resources Representative for more specific information on job descriptions, the skills/experience required for each position and Spencer's Next Step Program.

Here are some of the job positions available in our Company:

- ◆ **Sales Associate**                      ◆ **Sales Supervisor**                      ◆ **Assistant Store Manager**
- ◆ **Store Manager**                      ◆ **Area Manager**                      ◆ **Party Coordinator**
- ◆ **Special Projects DSM**           ◆ **Sr. Sales Supervisor**   ◆ **District Sales Manager**
- ◆ **Sr. District Sales Manager** ◆ **Zone Manager**                      ◆ **Sr. Zone Manager**
- ◆ **Associate Director**           ◆ **Regional Sales Manager** ◆ **Regional Sales Director**
- ◆ **Regional Human Resources Manager** ◆ **Regional Loss Prevention Manager**
- ◆ **Sr. Assistant Manager**

## Dress Code (Wear Clothes)

As a Spencer Gifts LLC Associate, you represent our organization which relies on our image as well as merchandise to be successful. Associates must always be neat, clean and well groomed with appropriately fitted clothing.

All clothing must be neat, clean and contain no profanity, or sexually explicit/suggestive wording. The Associate must be able to work comfortably in the clothing. Clothing must be "safe and appropriately fitted" for all tasks an Associate may be called upon to perform (this includes climbing ladders). Close-toe/heel shoes must be worn, at all times, for safety protection, unless told otherwise by Store Operations. Sunglasses are not permitted to be worn as eyewear while working in our store. While hooded sweatshirts are permitted to be worn in the store, the hood is not permitted to be worn on the sales floor while working.

### **Spencer's BADGES:**

- ◆ Spencer's name lanyards/badges **MUST** be worn and visible at all times.
- ◆ These badges are Company property and will remain in the store after an Associate clocks out at the end of their shift.
- ◆ The first name of the Associate and their title (i.e. Store Manager, Assistant Store Manager, Sales Supervisor, Sales Associate) must be neatly printed on the badge.
- ◆ Buttons that contain profanity or sexually explicit/suggestive wording are not permitted.

### **Spirit APRONS:**

- ◆ The Company issued apron **MUST** be worn and visible at all times. Authorized buttons, including your name tag are also mandatory.
- ◆ The aprons are Company property and will remain in the store after an Associate clocks out at the end of their shift.

## Gift Cards

Spencer's Gift Cards may be purchased and/or used by an Associate, provided the card was given specifically to the Associate. An Associate **may not** use the balance on a Guest's gift card to make a purchase for themselves or any other person. No Associate discount may be used when an Associate purchases a Gift Card, as the discount is applied at the time of the purchase.

May 2021

# Schedules & Work Hours

**Each store must comply with the State or Provincial laws for their area and then with the Company policy. A State or Provincial law takes precedence over Company policy, unless the Company policy is stricter.**

- ◆ Store work schedules will be completed in Workforce Management and submitted 2 weeks in advance.
- ◆ Store work schedules will be printed and posted in Spencer's two weeks prior to the schedule start date. Spirit will post the schedule two weeks prior to the schedule start date, unless required earlier by law.
- ◆ Store Management approval is required in advance for all changes and requested time off. Store Managers/Co-Managers must notify the District Sales Manager in advance of any changes to their scheduled time (leaving early, arriving late, absences).
- ◆ All Associates, including Home Office Associates, Field Support, Regional Sales Directors, Zone Managers, Special Projects District Sales Managers, District Sales Managers, Area Managers, Store Managers/Co-Managers are to clock in and out for every hour worked in any store. Falsification of time & attendance is prohibited. This includes, but is not limited to, an Associate's own time as well as the time of another Associate's. No Associate is permitted to edit their own time.
- ◆ Associates are not permitted to work when they are not clocked in\*\* nor are they permitted to allow others to do so. If anyone is requested to work "off the clock", they have a duty to report it immediately to the District Sales Manager and/or Human Resources Representative. **HOURS WORKED MUST BE HOURS PAID.**
- ◆ If an Associate is a minor, all state laws must be followed. Proper documentation must be in the Associate's file, including information outlining the hours the minor may work and the parental release form to work beyond a specific time at night, if required by state law. This documentation, if required, must be received prior to starting to work.
- ◆ No family members, friends or acquaintances of an Associate are permitted to work or give assistance in any store unless they are authorized/hired Associates.
- ◆ Other than Store Managers\* and Co-Managers\*, no Associate may work more than 40 hours per week without Zone Manager/District Sales Manager or Store Operations Department approval.
- ◆ All work schedules are subject to change as per the direction of the Store Operations Department (seasonal demands, floor moves, short staffing, etc.).
- ◆ **Spirit Store Managers** are to work the prescribed schedule as determined by the Store Operations Department. Store Managers are required to work every Saturday and Sunday, when the stores are open for business, unless business dictates and a change of schedule is approved by the District Sales Manager.
- ◆ **Spencer's Store Managers and Co-Managers** are to work a minimum of 40 hours (excluding meal periods), 5 work days and a minimum of 8 hours per work day in a work week—unless vacation, sickness or other special circumstances dictate otherwise. When business needs necessitate, an increase in time worked will be directed by Store Operations.
- ◆ **Store Managers** are to close a minimum of 2 nights per week (one Friday or Saturday night) unless otherwise directed by the Store Operations Department, the Regional Sales Director, Zone Manager or the District Sales Manager.

NOTE — \* Store Managers & Co-Managers must follow the weekly hours expectation provided by Store Operations.

NOTE — \*\* Company Policy - whether an Associate is clocked in or signed in, it is synonymous.

# **Schedules & Work Hours (continued)**

- ◆ **Spencer's Store Managers** are to work one full weekend per month (Saturday & Sunday). Store Managers will receive one full weekend off per month (with the exception of December) provided the store is fully staffed and stable. Store Managers are to work every Saturday during the month other than their full weekend off.
- ◆ **Assistant Store Managers** are to work:
  - In Spencer's—between 30 and 40 hours per week, working no less than 30 hours.
  - In Spirit—Assistant Store Managers must be able to work a diverse schedule, including weekends and nights.
- ◆ **Sales Supervisors** are to work the hours necessary to complete management coverage and must be able to work a diverse schedule, including weekends and nights. While this will vary by store, the hours will average 20-25 hours per week.
- ◆ **Sales Associates** are typically scheduled a minimum of one shift per week. Scheduled shifts are to be no less than 3 hours.

## **Attendance Policy**

### **Attendance Policy**

In order to operate efficiently, it is necessary to have a reliable work force. Being at work on time each day contributes towards team effort and helps to maintain a continuous workflow. This policy is provided to monitor absenteeism and tardiness and to provide consistent disciplinary measures to encourage improvement.

- ◆ All Associates are expected to report to work on time as scheduled.
- ◆ Associates must notify the Senior Management on duty, at least two (2) hours prior to their start time if they will be absent or tardy. Except in extreme circumstances, calls from anyone other than the Associate will not be accepted.
- ◆ Text messaging is an unacceptable means of communicating an absence to the Senior Management on duty.
- ◆ Store Managers/Co-Managers must notify the District Sales Manager of any schedule changes and if they will be leaving earlier or arriving later than scheduled.

### **Definition of Types:**

#### **Absence**

Failure of an Associate to be on the job during their scheduled hours of work. This includes time missed from work, whether excused or unexcused. The following are excused absences:

- ◆ Funeral Leave for immediate family
- ◆ Military Leave, with advance notice & approval
- ◆ Approved/Scheduled Vacation or Sick
- ◆ Leave of Absence authorized by Human Resources
- ◆ Sick-for benefit eligible Associates, who have sick time available according to Company policy or State Law
- ◆ Jury Duty, with advance notice upon receipt of jury summons or court ordered appearance with authorized documentation.



# **Attendance Policy (continued)**

## **Medical Absence**

- ◆ Associates must provide a Doctor's note when absent for three (3) consecutive days or more due to illness.
- ◆ Associates will not be disciplined or penalized in any manner for any absenteeism or tardiness which has been properly documented and excused in accordance with the Family Medical Leave Act.
- ◆ In the event, that State/Provincial law provides eligibility for more hours of paid sick time than Company policy, then State/Provincial law is to be followed.
- ◆ Sick Time-Retaliation against an Associate for taking sick time according to Company policy or state law is prohibited.

## **Accommodation**

- ◆ If for any reason, an Associate is not able to fully perform the essential duties and responsibilities of their job (see job description), reasonable accommodations may be made.
- ◆ Store Management Associates are not permitted to grant any type of accommodation without the permission of Human Resources. Accommodations are based on consistent business need and the requirements of the law.
- ◆ Requests for accommodation must be submitted in writing to Human Resources via fax 609-645-5677 or email to BenefitsDept@Spencergifts.com. Any questions regarding accommodation may be directed to our Benefits Department at 609-645-5311.

## **No Call Absence**

An absence where the Associate has failed to contact the Senior Management on duty prior to the start of the shift and has failed to report to work within one (1) hour of the start of their shift. All incidents of absence may be documented on an electronic Performance Notice.

*\*If no contact has been made to the Store Manager or District Sales Manager for two (2) consecutive "No Call Absence" days, this will be considered a voluntary termination and will be processed as such.*

*The Company will follow individual State/Provincial guidelines for any owed compensation.*

## **Tardy**

A Tardy occurs anytime an Associate arrives at work more than seven (7) minutes after their start time. Associates who arrive late to work **less** than seven (7) minutes after their start time on three (3) or more occasions will also be documented as Tardy. All incidents of tardiness may be documented on an electronic Performance Notice.

## **Late Store Opening**

If your tardiness contributes to opening the store beyond its scheduled opening time, the lateness will be considered a violation of Company policy.

- ◆ Depending on the circumstance, a Final Warning may be issued for the first offense.
- ◆ Disciplinary action up to and including termination will be taken for any other subsequent offense.

# Meal & Break Periods

## Meal Periods\*

All Associates including Management Associates, working 5 hours or more are provided with one meal period of 30 minutes in length (unless state law requires otherwise). This meal period should be scheduled as close to the middle of the schedule work shift as possible and before the fifth hour of work. Supervisors will typically schedule meal periods on the Daily Party Planner to accommodate operating requirements. Associates will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.



### **NOTE:**

- ◆ State minor laws regarding breaks may vary (Example: Florida requires break at 4 hours for anyone under 18.)
- ◆ All New York and Washington Associates must refer to state requirements regarding meal break periods.
- ◆ All Associates including Store Management Associates are required to clock out and clock in for their scheduled meal period.
- ◆ In the event, only one Store Management Associate is on duty during their shift of 5 or more hours, the Store Management Associate will clock out for an "on duty lunch". This time is paid Company time—during which Management must remain in the store and is to respond to the Guests' needs as necessary (i.e. eats in the stockroom while Sales Associates are on the sales floor).
- ◆ In emergency situations, where coverage does not allow for a meal period to be taken, the Associate should not clock-out and must promptly notify their District Sales Manager.



## Break Periods\*

All Associates including Management Associates, working 4\* hours or more, are provided with a break period of 10 minutes in length for every four hour segment of their shift. This break should take place as close to the middle of the 4 hour period as possible.

**Example:**

- Up to 4 hours = 1—10 minute break
- Up to 6 hours = 1—10 minute break & 1 meal period
- Up to 8 hours = 2—10 minute breaks & 1 meal period
- Up to 12 hours = 3—10 minute breaks & 2 meal periods

- ◆ All Associates and Store Management Associates are required to clock out and clock in for their scheduled paid breaks.
- ◆ Supervisors will typically schedule all break periods in the Daily Party Planner to accommodate operating requirements. Associates shall be relieved of all active responsibilities and restrictions during break periods and will be compensated for that time.
- ◆ Minors may be allowed additional break times under a state's child labor laws. Please refer to your state's Department of Labor guidelines to be sure scheduling of breaks and meals abide by those rules and regulations of the state.
- ◆ Associates are not permitted to sleep in the store (including stock room) while on a break or at any other time.

\*California Associates—See California specific Meal and Break Period Policies on page 21.

# California Meal Period & Rest Breaks

All non-exempt Associates\* are provided paid rest breaks and unpaid meal periods according to the chart below and in accordance with applicable law. Associates are provided with uninterrupted rest breaks and meal periods during which they are relieved of all duty. Associates should not perform any work during a rest break or meal period.

In all instances, including those in which there is little or no supervision, Associates are responsible for taking rest breaks and meal periods in compliance with this policy. If anyone or anything interferes with an Associate's ability to take rest breaks or meal periods as outlined in this policy, the Associate must immediately notify Human Resources. Failure to comply with this policy may result in disciplinary action, up to and including termination.

## Rest Breaks

- ◆ Rest breaks are paid and are ten (10) consecutive minutes in duration.
- ◆ Rest breaks should normally be taken as near as possible to the middle of the shift or work period.
- ◆ Associates must clock in and out for all rest breaks.
- ◆ Rest breaks and meal periods cannot be combined and must be completely taken *before* the fourth hour of work begins.

## Meal Periods

- ◆ Meal periods are unpaid and are to be thirty (30) consecutive minutes long.
- ◆ A meal period must be scheduled for shifts of five (5) hours or more in duration and should be scheduled as close to the middle of the scheduled work shift as possible, and before the fifth hour of work (i.e., starting no later than 4 hours and 45 minutes into a shift).
- ◆ Associates must clock in and out for all meal periods.
- ◆ Associates must leave the premises during meal periods.

The chart below outlines the breaks and meal periods we provide and expect all Associates to take:

If the total length of the shift worked (including rest breaks) is:	The Associate is provided:	The meal period must start:
Less than 3 hours, 30 minutes	No meal break or rest break	N/A
3 hours, 30 minutes to 5 hours	No meal period, one 10-minute rest break	N/A
5 hours, 1 minute to 6 hours	One 30-minute meal period and one 10-minute rest break	No later than 4 hours and 45 minutes into the shift
6 hours, 1 minute to 10 hours	One 30-minute meal period and two 10-minute rest breaks	No later than 4 hours and 45 minutes into the shift
10 hours, 1 minute to 14 hours	Two 30-minute meal periods and three 10-minute rest breaks	For the first meal period, no later than 4 hours and 45 minutes into the shift, and for the second meal period, no later than 9 hours and 45 minutes into the shift

- ◆ Exempt (salaried) employees are expected to take rest breaks and meal periods according to the chart above, and are encouraged to take rest breaks and meal periods at their discretion.

\*This policy applies to California Associates.

# U.S. Payment of Wages

Spencer Gifts LLC and Spirit Halloween Superstores, LLC encourage a fully electronic method for payment and documentation of wages. Associates will be asked to make a wage payment method selection based on options available in their state. Payroll is processed by the Home Office Payroll Department and paid bi-weekly.

- ◆ The Associate's first pay will be a paper check while they are waiting for their personal banking information to be verified for Direct Deposit or for their Paycard to arrive.
- ◆ Spencer's - For new enrollees, Paycards will be mailed to the Associate's home address. For Associates who have been issued a Paycard from us in a previous employment, funds will be loaded to your existing, active account. If you cannot locate your previous Paycard, a replacement Paycard will be provided to you. In compliance with state regulations, any paper check will be mailed to the Associate's home address, so it is critical for the Associate to ensure that their address in APM is accurate and complete upon hire.
- ◆ Spirit - All new Paycards generated will be delivered to the store via a FedEx envelope **separate** from the pay checks and prior to the first pay being loaded onto them. For Associates who have been issued a Paycard from us in a previous employment, funds will be loaded to your existing, active account. If you cannot locate your previous Paycard, a replacement Paycard will be provided to you.

## **Benefits of Direct Deposit:**

- ◆ Receive pay while on vacation, out of town with no delays due to inclement weather.
- ◆ No need to wait in line at the bank to cash a pay check.
- ◆ No check cashing fees.
- ◆ Money automatically deposited in the Associate's account on Friday of the pay week.
- ◆ The Associate can elect an amount deposited to savings and/or checking.
- ◆ With the ATM card, cash may be accessed at their convenience.

## **Paycard Program:**

- ◆ The Wisely Pay Prepaid Card is a VISA branded debit card. This is NOT a Credit card.
- ◆ The Paycard must be activated by calling 866.313.6901, 24 hours/7 days a week or by visiting the ActivateWisely.com website. A Personal Identification Number (PIN) must be selected for security purposes.
- ◆ **As permitted by state regulations, Associates, who do not provide timely or accurate personal Direct Deposit information may be automatically enrolled in our Paycard Program.**
  - ◆ If the Direct Deposit information is not received within 5 days of your hire date, you may automatically be enrolled in the Wisely Pay Prepaid Card Program (subject to state regulations).
  - ◆ Please contact your District Sales Manager, if you have additional questions.

## **Benefits of Paycard:**

- ◆ Receive one Paycard. The card will be reloaded each pay day, with the full amount of the Associate's net pay.
- ◆ Withdrawals from Allpoint, MoneyPass, PNC Bank and MB Financial Bank ATMs are free. There are over 80,000 in-network ATM's available nationwide. Some conveniently located in retailers such as: Costco, CVS, Target, Rite Aid, Sears, 7 Eleven, Sunoco, Walgreen's and Winn Dixie. Withdrawals from out of network ATMs will incur fees. To find the nearest in-network ATMs visit mycard.adp.com or myWisely.com and use the locator to find those closest to you.
- ◆ Associates may withdraw all funds on the Paycard at any VISA member bank with Proper ID for free.
- ◆ No fees paid to check cashing agencies.
- ◆ No bank account or credit approval is required.
- ◆ The Associate can access their cash at any ATM machine (out of network ATMs may impose fees).
- ◆ The Paycard works as a Visa check card for purchases made at stores, gas stations, etc.
- ◆ The Associate may request a cash back option when making a purchase at stores, up to the store's limit.
- ◆ The Associate may pay bills from the card provided Visa is an acceptable form of tender.
- ◆ The Associate can access an E-statement monthly directly from myWisely.com, also through www.mycard.adp.com, detailing all activity on the Paycard account. This includes payroll deposits, purchases, ATM withdrawals, etc. Address any discrepancies with VISA directly.
- ◆ An Associate may elect to have their tax refund deposited onto their Paycard.
- ◆ Assistance is available 24 hours a day, 7 days per week in English and Spanish at 866.313.6901.

May 2021

# U. S. Payment of Wages (Continued)

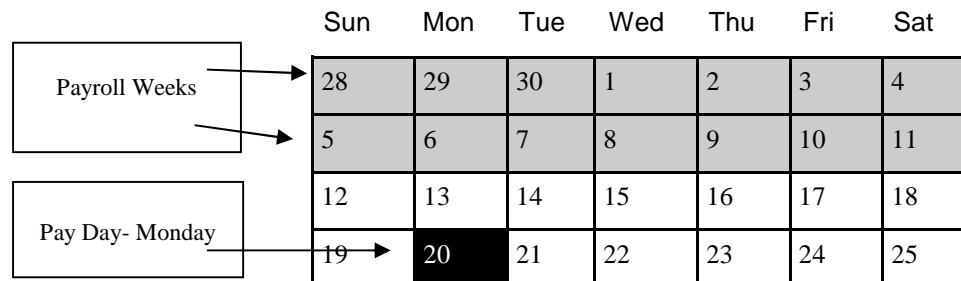
**If an Associate's Paycard is lost, they must contact VISA directly for a replacement at 1.866.313.6901.**

## **Paycard Fees:**

Monthly Maintenance	FREE	
Unlimited, In-Network ATM Withdrawals	FREE	
Text Message Alerts*	FREE	*Phone carrier charges may apply
Purchase Transactions-Signature	FREE	
Purchase Transactions-PIN Code	FREE	
Purchase Transactions w/Cash Back-PIN	FREE	
Web Card Management	FREE	
Monthly E-Statements	FREE	
Monthly Paper Statement	\$1.50 per statement, if paper is requested (subject to state regulations).	
Automated Phone Customer Service Calls	FREE	
VISA Member Bank Cash Withdrawal	FREE	
Web Access – Money Transfer	\$2.00	
CSR Call – Live customer service	FREE	
ATM Withdrawal Out of Network	\$3.50	*Other 3rd party charges may also apply
Balance Inquiry at any ATM	FREE	
Lost/Stolen Card Replacement*	*In accordance with State Laws and Regulations	
	*1 FREE per year for all customers sent via regular mail	
- Regular Mail replacement after 1 FREE	\$6.00	
- Expedited Delivery after 1 FREE	\$30.00	
Currency Conversion	3% of Transaction amount	
Secondary Card on same account	\$2.00 with standard mailing	

## Pay Day

- ◆ Allow up to 2 payroll cycles for Direct Deposits information to be verified or for the Paycard to be delivered. Until this occurs, Associates may be issued a paper check. If we are able, the bank account(s) provided may be verified prior to 1st pay. If this happens, the Associate's 1st pay will be deposited into their bank account(s). The Associate may change their current wage payment method by electronically selecting a new method in APM using the Direct Deposit form from the store's register. This form contains all valid wage payment methods available in the Associate's state of employment. If changing bank accounts or changing from a personal account to a Paycard, the Associate will receive a paper check until the new account information can be validated or a new Paycard delivered. If changing from a Paycard to personal direct deposit, the Associate will continue to receive their funds on the Paycard until the new account information can be validated with their bank.
- ◆ The payroll week starts on Sunday and ends on Saturday. The Associate will receive their pay no later than the second Monday following the end of the pay period, subject to state law. Pay Day is every other week.



# Receiving a Pay Stub & Annual W-2

## **MyADP (iPay)**

- ◆ MyADP (iPay) is an electronic means of receiving a pay stub and/or W-2 tax form via a secured internet website.
- ◆ Regardless of the wage payment method chosen, the Associate's pay stubs/W2's will be available on a secure website at: [my.adp.com](http://my.adp.com) after the Associate has completed the online registration. Our registration passcode is: **spencerllc-ipay**.
- ◆ All newly hired and re-hired Store Associates in Hawaii, Oklahoma and Oregon will need to complete an IPay election screen to opt in to the electronic pay stub program.
- ◆ Access to electronic pay stubs is provided at store level through the POS system. For instructions on the registration and sign on processes: in Spencer's refer to Policies: Pay\_107 & Pay\_108 and in Spirit refer to policies: Pay\_305 & Pay\_306. IPay may also be accessed from your personal computer or personal mobile device.
- ◆ For questions concerning IPay contact [guestservices@spencersonline.com](mailto:guestservices@spencersonline.com) or [guestservices@spirithalloween.com](mailto:guestservices@spirithalloween.com).
- ◆ For questions concerning Direct Deposit or Paycards, contact the Payroll department via Store Payroll email or [payroll@spencergifts.com](mailto:payroll@spencergifts.com).

## Canadian Payment of Wages

- ◆ Canadian Payroll is handled by your payroll department in cooperation with ADP Canada. We encourage all Associates to provide their banking information to receive direct deposit of their pay. Associates receiving direct deposit should see funds deposited to their bank accounts no later than the Friday following the end of the pay period. If you are being paid by paper cheque, your cheque will be mailed to you via regular Canadian postal service mail. Payroll questions and concerns should be directed to the Payroll Department at 609.645.5670.

### **CANADIAN PAY STUBS AND ANNUAL T4s – ADP TotalAccess**

- ◆ TotalAccess is an electronic means of receiving pay stubs and/or annual T4 forms via a secured internet website.
- ◆ Regardless of the wage payment method chosen, pay stubs and T4s will be available on a secure website at: <https://totalaccess.adp.ca> after the Associate has completed the online registration. Our Company Code is 3CQB and our Company's Client# is D31199.
- ◆ Access to electronic pay stubs is provided at store level through the POS system. Refer to Trovato POS manual procedure numbers PAY\_108 & PAY\_109 for instructions on registration and sign on processes.
- ◆ Associates may also register and access their pay information from a personal computer.

**For questions concerning TotalAccess, please contact [guestservices@spencersonline.com](mailto:guestservices@spencersonline.com) or [guestservices@spirithalloween.com](mailto:guestservices@spirithalloween.com) or you can contact ADP Canada at 877.959.0026, Opt. 1.**

## \$3 More Per Hour End of Season Program

- ◆ The \$3 More Per Hour Program rewards Sales Associates and Assistant Managers for working on specific days at the end of the season. This reward includes both Spirit Halloween and Spencer's Associates who work the specified days in SPIRIT HALLOWEEN only.
- ◆ Associates and Assistant Managers must work all scheduled shifts from Tuesday, October 26 through Monday, November 1 in order to be eligible.
- ◆ If Associates and Assistant Managers complete the eligibility period, they will earn an extra \$3 per hour on their shifts on Thursday, October 28, Friday, October 29 and Saturday, October 30. If an Associate or Assistant Manager calls out for one shift during the entire timeframe, they will not be eligible for any bonus monies.
- ◆ This program is designed to help provide proper floor coverage so Guests get the excellent guest service that they deserve during this critical shopping weekend.
- ◆ When working Overtime while more than one hourly rate of pay is earned in the same week, an OT premium is calculated based on the blended hourly rate.

Example :

- ◆ Sunday through Wednesday worked 30 hours @ \$9 hr ( $30 \times \$9 = \$270$ )
- ◆ Thursday through Saturday worked 14 hours @ \$12hr (\$9 plus \$3 retention) ( $14 \times \$12 = \$168$ )
- ◆ Total weekly hours 44, total straight time pay ( $270+168$ ) = \$438
- ◆ Weekly hourly blended rate is calculated as  $\$438 / 44 \text{ hours} = \$9.95 \text{ hr}$
- ◆ Therefore the OT Premium is to be paid at  $\$9.95 / 2 = \$4.98 \text{ hr}$  for any hours over 40 in the week.
- ◆ Amount to be paid:
- ◆ 30 hours times \$9 (normal hourly rate) = \$270
- ◆ 14 hours times \$12 (normal rate + \$3 retention premium) = \$168
- ◆ 4 OT Premium hours @ \$4.98 = \$19.92
- ◆ (straight time of OT has already been reflected in the \$270 + \$168 above.
- ◆ Total Gross ( $270 + 168 + 19.92$ ) = \$457.92



# **Inclement Weather-Temporary Store Closing**

- ◆ In the event that a store is closed for inclement weather or a public emergency, Store Management Associates may use eligible benefit time (sick or vacation) to cover the hours not worked.
- ◆ In the event of inclement weather, when the store is open for business, a Spencer's Store Management Associate may use eligible vacation time only to cover the hours not worked.
- ◆ The Spencer District Sales Manager in partnership with the Spencer's Regional Sales Director and Human Resources will make the final determination if these vacation hours are approved for use.
- ◆ For all non-benefit eligible Associates, hours worked are hours paid. Therefore, if the store is closed for any reason, such as inclement weather or power outage, the Associate, Management Associates as well as Sales Associates, will only be paid for those hours that are worked (subject to Federal/State/Provincial law).

## **Store Associate Discounts**

### **SPENCER'S STORE ASSOCIATE DISCOUNT**

- ◆ All active and retired Store Associates of Spencer's are eligible for Associate discounts, as well as their:
  - ◆ spouse/domestic partner • children • brothers and sisters • parents **OR**
  - ◆ Any family member residing in the same household.
- ◆ At Spencer's, the Store Associate discount applied to all items is 30% off the current selling price (unless indicated by Store Operations). This includes merchandise on temporary promotion and clearance.
- ◆ In Spencer's, active Spirit Halloween seasonal Associates are eligible for a 30% discount applied to the current selling price. This includes merchandise on temporary markdown. This discount only applies to the Spirit seasonal Associate, not to family members.

### **SPENCER'S BIRTHDAY DISCOUNT**

- ◆ All active Spencer's Store Associates are eligible for a "Birthday" discount at their home store. On the day before and the day of the Store Associate's Birthday, the Associate may take advantage of the "Birthday" discount, which is 35% off the current selling price for all eligible merchandise. This discount does not apply to Spirit Associates.

### **SPENCER'S STREETWISE DISCOUNT**

- ◆ During select weekends each month, Store Associates will also be able to take advantage of the "Streetwise" discount, which is 40% off the current selling price for items which can be worn by Store Associates.
- ◆ The Streetwise discount is offered to encourage Store Associates to showcase Spencer's apparel and accessories while working in the store.
- ◆ Streetwise discounts are for active Spencer's Store Associates only. Family members, etc. are not eligible for the Streetwise Discount.
- ◆ Spirit Halloween Associates are not eligible for Spencer's Streetwise/Associate discounts.

### **SPIRIT HALLOWEEN DISCOUNT**

- ◆ All active and retired Store Associates of Spirit are eligible for Associate discounts, as well as their:
  - ◆ spouse/domestic partner • children • brothers and sisters • parents **OR**
  - ◆ Any family member residing in the same household.
- ◆ At Spirit Halloween, the Associate discount applied is for all items 30% off the current selling price. This includes merchandise on temporary promotion.
- ◆ Spencer's Associates are eligible for an Associate discount in Spirit Halloween stores.
  - ◆ At Spirit Stores, the Spencer's Associate discount applied is 30% off the selling price (does not apply to Consignment Stores). This discount only applies to the Associate, not to family members.

### **IMPORTANT ASSOCIATE DISCOUNT INFORMATION**

- ◆ See Policy 801 – Store Associate Discounts for all policy details.
- ◆ The Store Associate and/or eligible family members may purchase items at the discounted rate for personal use and/or as gifts. The discount may not be used to provide discounts to friends or other non-Spencer Store Associates.
- ◆ Abuse of discount privileges, including giving unauthorized discounts, will be cause for reimbursement from the Associate for any amounts illegally discounted and/or **disciplinary action up to and including immediate dismissal of the Associate**. ABUSE OF ASSOCIATE DISCOUNT MUST BE REPORTED TO THE District Sales Manager, Regional Loss Prevention Manager and/or the Loss Prevention Department at 800.825.4414.
- ◆ The following forms of identification are acceptable:
  - ◆ Printed Payroll check stub from most current pay period or a Company business card.
- ◆ If verification is needed, contact the store the Associate works in to verify employment or family relationship.
  - ◆ If retired, contact the Human Resources Department 609.645.5660.
  - ◆ If a Home Office Associate, contact the Human Resources Department 609.645.5300.
  - ◆ If a Charlotte Distribution Center Associate, contact the DC HR Department 704.588.3091.
- ◆ No Associate, including Management, may ring or authorize their own transaction (sale, exchange, refund, etc.) and also may not ring or authorize their relative's transaction. Another supervisor must process the transaction. If another supervisor is not available, the Associate discount transaction may not be processed.
- ◆ Associate sales will be rung at the end of an Associate's shift and the highest-ranking Manager on duty must complete all Associate sales.
- ◆ Offering or using Associate discounts for any reason other than stated above is a violation of Company policy, and is to be reported to the District Sales Manager and/or the Loss Prevention Department.

# Respectful Workplace

Spencer Gifts LLC is committed to providing a respectful workplace environment for our Associates and business related non-Associates. One that is free of discrimination, harassment and all forms of unacceptable conduct which are unwelcome, disrespectful and/or imply disrespect regarding race, religion, gender, creed, color, national origin, medical condition, ancestry, age, marital status, physical or mental disability or sexual orientation.

## **POLICY**

- ◆ Spencer Gifts LLC prohibits discrimination, of any type.
- ◆ Spencer Gifts LLC maintains a strict policy of prohibiting harassment including, but not limited to, sexual harassment of Associates and business related non-Associates.
- ◆ Spencer Gifts LLC prohibits harassment in any form, including verbal, physical, and visual.
- ◆ Spencer Gifts LLC prohibits all forms of unacceptable conduct.
- ◆ Spencer Gifts LLC prohibits reprisal or retaliation against Associates who make a complaint about discrimination, harassment or unacceptable conduct.
- ◆ Spencer Gifts LLC views any violation of this policy as a serious offense that will be dealt with immediately and will result in appropriate disciplinary action, which may include termination of employment.

## **DEFINITIONS AND DESCRIPTIONS**

- ◆ **Spencer Gifts LLC** - Spencer's and Spirit Halloween
- ◆ **Discrimination** - refers to the treatment or consideration of, or making a distinction in favor of or against, a person or thing based on the group, class, or category to which that person or thing belongs rather than on individual merit. Discrimination that confers privileges on a certain class or individual or denies privileges to a certain class or individual because of race, age, gender, nationality, religion, or handicap violates Federal law, including Title VII of the Civil Rights Act, which specifically prohibits employment discrimination based on any one of those characteristics.
- ◆ **Harassment** - Unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim.
- ◆ **Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - ◆ Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
  - ◆ Submission or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or,
  - ◆ Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile or offensive working environment.
- ◆ **Unacceptable/Unwelcome Conduct** - All forms of unacceptable conduct such as verbal, physical, or visual which are unwelcome and imply disrespect.
- ◆ **Hostile Work Environment** - Unwelcome behavior which interferes with an individual's job performance, and/or creates an intimidating or offensive work environment.

## **PROCEDURES**

- ◆ It is essential and required that Associates immediately report conduct which is believed to be in violation of this policy.
- ◆ Any Spencer Gifts LLC Associate who believes he or she has been discriminated against or harassed by another Associate of Spencer Gifts LLC or business related non-Associate (for example: vendor or delivery driver, etc.) should promptly report the facts of the incident(s) and the name(s) of the individual(s) involved to his or her immediate supervisor, or in the alternative, to the Human Resources Representative or by calling 1-800-284-4737.
- ◆ Timely reporting is necessary so that a complaint can be investigated while information is most available.
- ◆ If, for any reason, an Associate would prefer not to discuss the issue with their supervisor or Human Resources Representative, the Associate is encouraged to report the conduct to any Executive or Officer of the Company or directly to a Corporate Human Resources Representative.

## **RESPECTFUL WORKSPACE POLICY CONTINUED—NEXT PAGE**

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# Respectful Workplace (Continued)

- ◆ Any supervisor, who observes or learns of ongoing harassment, is required to immediately report any allegations of incidents of discrimination or harassment to a Human Resources Representative.
- ◆ The Supervisor must try to get as much information as possible and take notes at the time the incident is reported. However, the Supervisor shall not conduct a formal investigation but will turn the matter over immediately to the Human Resources Department. Any notes that the Supervisor takes should be marked "Confidential" and must be turned over to the Human Resources Department.
- ◆ The Human Resources Department will determine whether the situation is sufficiently serious that the Associate needs to be removed from the workplace to avoid compounding the "hostile environment". This determination will be completed in consultation with appropriate parties. However, removal of the Associate from the workplace should not constitute a detriment to the Associate.
- ◆ The Human Resources Department will inform the Associate that witnesses and the alleged harasser will be contacted. The Human Resources Department will reassure the Associate that the Company will not permit retaliation.
  - ◆ Confidentiality will be maintained to the extent considered to be feasible and appropriate by Spencer Gifts LLC in order to meet the purposes of investigating, responding to claims, complaints and charges and achieving the other objectives of this policy.
- ◆ The Human Resources Department will investigate all claims of harassment, discrimination, and/or hostile work environment. The findings will be reported to personnel with authority to take appropriate corrective action. Appropriate disciplinary action will be administered against any person who has violated this policy. The outcome of the investigative process will be reported to relevant parties, as is considered to be practical and/or appropriate.

## Examples of Possible Signs of Sexual Harassment

**It is important for Associates to avoid conduct on their part which could be construed by others as unwelcome conduct directed at them (e.g., telling jokes of a sexual nature). This is not an all-inclusive list.**

- |   |                                      |
|---|--------------------------------------|
| · Telling jokes that are sexual in nature | · Innuendoes                         |
| · Staring/Elevator Eyes                   | · Sexual stories                     |
| · Touching/blocking                       | · Spreading sexual rumors            |
| · Derogatory gestures                     | · Double meanings                    |
| · Sexual advances                         | · Comments that are sexual in nature |
| · Personal questions                      | · Inappropriate noises               |

## Examples of Conduct Related to Sexual Harassment:

- ◆ Offering employment benefits, such as favorable assignments, reviews, promotions or the like, in exchange for sexual favors.
- ◆ Making or threatening reprisals after a negative response to sexual advances or to other discriminatory conduct.
- ◆ Making unwelcome sexual advances, propositions, flirtations or repeated unwelcome requests for or efforts to make social contact.
- ◆ Using verbal abuse of a sexual or gender-based or other discriminatory basis, such as using sexually degrading or vulgar words to describe an individual or making derogatory sexual, gender-related or discriminatorily-based (i.e., race religion, age, national origin, disability, sexual orientation, etc.) comments, slurs, taunts, jokes, language or epithets.
- ◆ Asking questions about sexual conduct or sexual orientation or disclosing or spreading rumors about such information concerning yourself or others.
- ◆ Making verbal commentaries about an individual's body, sexual prowess, sexual orientation or sexual deficiencies.
- ◆ Whistling at, touching, pinching, brushing the body, assaulting, impeding or blocking the movements, or coercing sexual acts or engaging in any such physical conduct in the context of other discriminatory-based conduct.
- ◆ Leering or making sexual, derogatory, insulting, obscene or other discriminatorily-based (i.e., race, religion, age, national origin, disability, sexual orientation, etc.) comments or gestures.
- ◆ Inappropriate displaying of gender-based or discriminatorily-based items.
- ◆ Sending sexually suggestive or obscene letters, gifts, notes, emails or invitations.
- ◆ Retaliating against an Associate for refusing to participate in such behavior or for complaining about such behaviors.

# Personal Relationships in the Workplace

## **Fraternization**

- ◆ Fraternization is prohibited. In a case of actual, perceived, or potential fraternization, Spencer Gifts LLC will take prompt action. This can include reassignment or termination of employment for one or all the individuals involved.
- ◆ This policy applies to all Associates without regard to the gender or sexual-orientation of the individuals involved.

## **Employment of a Roommate/Housemate**

- ◆ Spencer Gifts LLC prohibits the employment of roommates/housemates in the same store location, department or if a direct reporting or influential relationship exists.

## **Employment of Relatives**

- ◆ Spencer Gifts LLC prohibits the employment of relatives in the same store location, department or if a direct reporting or influential relationship exists.
- ◆ Family members of Director level Associates and above may be considered for employment with prior approval from the Sr. Vice President or Divisional Vice President of Human Resources.
- ◆ The employment of relatives in different store locations or departments is acceptable providing no direct reporting or influential relationship exists.



## **DEFINITIONS AND DESCRIPTIONS**

- ◆ **Spencer Gifts LLC**- Spencer Gifts and Spirit Halloween.
- ◆ **Fraternization** is defined as a dating relationship, in the same store location, or department. Any relationship which may be reasonably expected to lead to the formation of a consensual "romantic" relationship will be considered fraternization, including those with a direct reporting and/or influential relationships.
- ◆ **Direct Reporting Relationship** - The relationship that exists between a subordinate and their immediate supervisor or the supervisor of their immediate supervisor.
- ◆ **Influential Relationship** - The relationship that exists between a subordinate and an Associate in a higher position who may have an influence over the subordinate's career.
- ◆ **Roommate/Housemate** - Any person living at/with the same address.
- ◆ **Relative** - Any person who is related by blood, marriage, or whose relationship with the Associate is similar to that of people who are related by blood or marriage.



## **PROCEDURE**

- ◆ It is the responsibility of each Associate to report possible violations of this Personal Relationship Policy to his or her immediate supervisor or a Human Resources Representative.
- ◆ The relationship and the Associates involved will be treated fairly and with discretion. Human Resources will work with the Associates involved to resolve and change the reporting relationship or work location, if possible/practical.

## **NOTE:**

*Those Associates hired before July 1st, 2005 with an existing relative/dating relationship are exempt from this **Personal Relationships in the Workplace Policy**. However, if Spencer's determines that a personal relationship exists which is detrimental to our business, or is a conflict, we will require that one or both parties be reassigned or terminated.*

*Those Associates hired before November 1, 2009 with an existing roommate/housemate relationship are exempt from this **Personal Relationships in the Workplace Policy**.*



# Code of Conduct

The purpose of the Code of Conduct is to explain and enforce ethical conduct in business transactions in order to preserve the Company's reputation for integrity and honesty that is characterized in all business activities. The purpose is also to have Associates understand, that it is unacceptable for the Company to benefit from violations of laws and regulations and that there is much more to be lost than could be gained from violation of the standards contained in this Code of Conduct.

## **POLICY**

- ◆ Any and all unethical acts are prohibited (i.e. commercial bribes, kickbacks and/or etc.).
- ◆ Under no circumstances may an Associate enter into an agreement with a competitor that will affect the price of an item or the marketing policies of Spencer Gifts LLC. The Company prohibits the acceptance of "Kickbacks" or unauthorized discounts on merchandise or other similar incentives in order to obtain business or for the Associate's personal benefit.
- ◆ Associates may not use Company assets or services for their personal benefit. This includes taking or sharing with others: materials, equipment, merchandise (including damages and discards), supplies; or duplicating Company files, CD's, software or manuals; having Associates on Company time complete personal projects or errands; and submission of fraudulent expense reports is prohibited.
- ◆ Acts of hospitality from Company Associates toward persons with whom the Company does business (including vendors) are prohibited and may be grounds for immediate dismissal.
- ◆ Associates may not steal, attempt to steal, borrow or otherwise use and/or remove any Company merchandise, cash, property or the property of others from any Spencer Gifts LLC location without prior written authorization.
- ◆ Off-duty conduct that reflects negatively on Spencer Gifts LLC is prohibited. This includes but is not limited to shoplifting, illegal drug use, any illegal behavior or other forms of theft and violence against others.
- ◆ Non-Associates of Spencer Gifts LLC are not permitted to solicit for any purpose on Company property.
- ◆ Oral solicitations by Associates for any purpose are prohibited in retail selling areas and/or other places where Guests may congregate and/or while Associates are on Company time.
- ◆ The Company does not permit any conflict of interest between any Associate in connection with their employment by the Company and any interest the Associate may have in another business activity. This includes all Associates of Spencer Gifts LLC, their spouses, life partners, members of their immediate family and other close relatives.
- ◆ Influencing a subordinate or peer in the hiring of your spouse, life partner, roommates or other family member is prohibited.



- ◆ The disclosure of confidential information concerning the affairs and business of the Company is prohibited. This includes: job duties, copies or excerpts of manuals, lists of vendors, procedures, plans, any financial results (sales, payroll, shrinkage), publications and memorandums of any type. Associates are not to provide Guests their personal information, including but not limited to their phone number.
- ◆ It is unethical for Company Associates to accept preferential treatment for their personal benefit from vendors with whom the Company does or does not do business. It is the responsibility of the Associate to follow Company standards with vendors should questionable conduct occur in business relationships. This applies to all Associates in the Company. Preferential treatment from vendors may be an attempt to influence Company Associates in an unacceptable manner.
- ◆ Unfair practices in business relationships can occur and result in ethical conduct violations. Examples include but are not limited to the following;
  - ◆ The buying staff may be influenced in this way to purchase more merchandise from a vendor.
  - ◆ Field Associates may be persuaded to give discounts in exchange for discounted food in the food court.
  - ◆ Accounts Payable Associates may be persuaded to pay one Company's bills more quickly than others because of preferential treatment.
  - ◆ The Real Estate department may experience similar situations in which mall developers wish to convince the Company to locate stores in certain malls.

# Code of Conduct (continued)

- ◆ The acceptance by any Associate, or any member of his or her immediate family, of any of the following from business and/or potential business partners is prohibited:
  - ◆ Any free or discounted services or products.
  - ◆ Any compensation, commissions, shares in profits or other payments.
  - ◆ Any loans or other financial assistance (other than loans from established banking or financial institutions).
- ◆ Intentional falsification and/or manipulation of any Company documents and/or data is not permitted and may result in termination.
  - ◆ Associates must never share User IDs, Cashier numbers or Passwords or use that of any other Associate.
- ◆ Spencer Gifts LLC does not permit an Associate, without prior written approval of the General Counsel of the Company and/or an officer of the Company, to discuss, divulge, or reveal any information or materials relating in any way to the Company, or employment with the Company to any person not presently associated with the Company. This would include former Associates or agents of the Company, its parents, subsidiaries, divisions, successors and assigns. Such information includes unpublished financial data such as financial results; product costs and financial forecasts; details of agreements regarding sales, purchases, or employment; and personnel data concerning Company Associates including performance evaluations. (Note: certain designated personnel in the Human Resources Department are authorized to give out dates of employment, job title, and compensation when requested in writing and authorized by the Associate concerned.) Examples of behavior that would be considered ethical conduct violations include the disclosure of individual store sales performance and profitability or sales trends of our top items to competitors. A violation would also result if one competing merchandise vendor received inside information on other companies that supply similar products.
- ◆ No Associate, Director, and/or Officer is permitted to achieve results through illegal or unethical methods, including prohibited activities through third parties such as the Associate's spouse, life partners, other members of the family, or other persons or organizations.
  - ◆ It is the responsibility of each Associate to report possible violations of this Code of Conduct to his or her immediate supervisor or to any Officer. If such instances are associated with Officers or Directors, these matters will be reported directly to the President of Spencer Gifts LLC.
  - ◆ Associates are strongly encouraged to discuss proposed activities which may result in possible code violations with Officers or Directors before entering into such activities.



## **DEFINITIONS AND DESCRIPTIONS:**

**Spencer Gifts LLC** includes Spencer's and Spirit Halloween.

## **PROCEDURE**

- ◆ violations of the Company's policies on conflicts of interest (including non-disclosure of possible conflicts) and ethics in business transactions will result in appropriate disciplinary action. Such action may also include criminal prosecution, or reimbursement for any financial loss the Company may have suffered.
- ◆ Discovery of events of a questionable, fraudulent or illegal nature that are in violation of Company policy must be reported immediately to the Loss Prevention Department using the Lightning Line 800.825.4414, Human Resources Hotline 800.284.4737 or in person to a member of the Human Resources management team, or any Officer of the Company.
- ◆ Concealment or failure to report information concerning any policy violation or illegal action by any Associate will not be tolerated. Any Associate failing to cooperate fully with an investigation by law officials or the Loss Prevention Department and/or Human Resources will be subject to termination.



# Asset Management

## **Do The Right Thing!**

Respect starts with each of us. We all have a responsibility to our team and to each other. Always report any instances of theft, unethical or illegal behavior. These, along with other policies must be followed 100% of the time.

- ◆ ALWAYS Acknowledge, Connect with and Thank every Guest.
- ◆ Do not take, borrow, or remove any merchandise, cash, gift cards, or Company/Guest/Associate property, intentionally or unintentionally.
- ◆ You must complete, bag/purse/pant leg/pocket/personal property checks for every Associate, including Store Management, Field Management and Home Office Associates, upon leaving the store for any reason including: the end of the shift, for breaks or for trash removal.
- ◆ All Spencer's Associates carrying bags into the store must use an issued mesh bag or an approved clear bag.
- ◆ Do not falsify, take or manipulate any Company document or transaction, including: sales, voids, refunds, gift cards and timekeeping.
- ◆ Timecard procedures are to be followed with edits completed per policy.
- ◆ Do not accept a credit or debit card from an unauthorized user, or a card that has been declined.
- ◆ Follow POS prompts for obtaining credit card authorization as indicated.
- ◆ Do not give any discount to anyone, unless it is an authorized discount.
- ◆ Store Management must inspect all trash, prior to the removal from the store.
- ◆ Our store must be closed with at least two Associates.
- ◆ Management must ensure that a Sales Associate is not left alone in the store. A member of Management must always be present. (California Associates: refer to the Human Resources Policy & Procedure for Meals and Break Requirements.)
- ◆ Management is not to give store keys to any unauthorized Associates.
- ◆ Bank deposits must be counted, verified and signed by two Associates and deposits made daily.
- ◆ Do not violate our "Respectful Workplace" policy against discrimination and harassment.
- ◆ All Associates are required to adhere to our Safety Policies and Procedures.
- ◆ There is NO SMOKING or use of any tobacco products, including electronic cigarettes/e-vapes/e-hookahs on any Company premises, including the stockroom; regardless of the state or mall regulations.
- ◆ Do not have food or drink on the sales floor or behind the cash/wrap.
- ◆ Associates may not consume, possess or work under the influence of alcohol or illegal drugs on Company premises.
- ◆ Never authorize, use, share or access any Cashier#/Password other than your own, unless required by policy.
- ◆ The exterior stockroom door must remain locked when not in use for shipment or trash removal.
- ◆ Always follow Company guidelines verifying cash currency as outlined.

**Spencer's LLC Lightning Line- 800.825.4414**

**24 hours a day, 7 days a week**

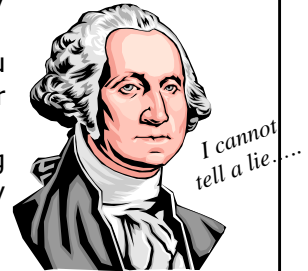
**Or, email from a personal email address to [Lightningline@spencergifts.com](mailto:Lightningline@spencergifts.com)**

If you know or suspect someone in your store is behaving dishonestly or breaking the rules, call your Regional Loss Prevention Manager or the Lightning Line. You may receive up to \$1000. We need to hear from you. See Something, Say Something. Please help protect your team.

# Honesty & Integrity

Spencer Gifts LLC is a highly respected leader in the retail industry, and deeply values and expects honesty and integrity from all Associates. As an Associate, you are required to:

- ◆ Be direct, truthful, honest and trustworthy in all situations in a positive, helpful and constructive manner.
- ◆ Set an example to ensure the highest standards of honesty, integrity and trust are maintained by the store team.
- ◆ Earn the respect and trust of Guests, team members, peers and Management.
- ◆ Protect Company merchandise, equipment and monies. Personal Property Inspection of belongings will be completed (jackets, clear/mesh bag, pockets, pant leg, etc.) every time an Associate leaves the store. California Stores please refer to Policy OpsCon — 103C—Do The Right Thing Policy.
- ◆ Maintain objectivity when confronted with difficult situations without acting on or interjecting personal feelings.
- ◆ Make sure that all merchandise is rung in the POS system properly. No merchandise is to be passed to friends, relatives, etc. without receipt of payment. No merchandise is to be placed on hold (any longer than 24 hours) or placed in bags without payment.
- ◆ Do not remove trash from the building before it is thoroughly inspected by Management.
- ◆ It is your responsibility to notify the appropriate Company personnel when you observe inappropriate business conduct and/or you suspect another Associate or theft or other illegal activities.
- ◆ Understand the difference between keeping personal confidences and notifying appropriate Company personnel when there is a business ethics and/or liability issue.
- ◆ Take responsibility for mistakes without blaming others.
- ◆ Protect and do not share information considered to be personal and confidential.
- ◆ Stay current with, understand, follow and ensure all Associates' compliance with all Company policies and regulations.
- ◆ Do The Right Thing! (Refer to poster/wallet card)
- ◆ Spencer's Associates refer to the Spencer Gifts Apprehension and Awareness Program and Spencer's Learning Center (SLC) courses regarding external issues; all Associates refer to the Loss Prevention Guidelines and EEO Guidelines (Policy & Procedure Manual) for internal issues.



## Social Media

Social Media is another communication form like email, voicemail and the use of the Internet. Your responsibilities and obligations to our Company do not change depending on the communications tools you use.

- ◆ All Associates are to adhere to the guidelines as outlined in Company policies regarding sharing of information related to the Company, its Associates, vendors, business partners, etc.
- ◆ Associates are encouraged to post pictures of product, events, celebrity sightings, etc, with friends/followers on their personal social media pages as well as Spirit's social media pages. Associates are not to post on behalf of Spirit or as a Spirit representative. The posts are to be done on their personal social media page and tag Spirit (#spirit or @spirit).
- ◆ Confidential or proprietary information about the Company, other Associates, or our Guests should never be communicated to third parties in any medium.
- ◆ Associates, who participate in online communication, deemed not to be in the best interest of the Company will be subject to disciplinary action.

This online communication can include, but is not limited to: Company information or data leakage; inaccurate, distasteful, or defamatory commentary about the Company, its products, Associates, and/or business partners. Disciplinary action may include termination or any other intervention deemed appropriate by Human Resources.

May 2021

# Cash Handling Safety Policy

- ◆ NEVER TURN YOUR BACK OR LEAVE AN OPEN REGISTER DRAWER! Register drawers must remain closed between transactions.
- ◆ All cashiers must be trained on the register. Be sure to use accurate UPC codes only. Follow all PCI Compliance Guidelines.
- ◆ All sales transactions, without exception, are to be completed from inside the cash & wrap area. For example, DO NOT take money for an item from a Guest on the sales floor.
- ◆ During a cash sale, do not put money away until the change has been counted back to the Guest. Place bills directly over the register drawer until the Guest confirms the accuracy. All loose change must be placed in the drawer. All found money must be placed in the register drawer.
- ◆ Associates should not make change for Guests. However, you may make an exception for a Guest, who wants to use the gumball machine.
- ◆ Each Associate, who is assigned to operate the register, must witness a Management Associate counting all money in the register prior to starting and at the end of their assignment. If this is not occurring according to policy, please call the Lightning Line at 800.825.4414.
- ◆ Two people (one must be a Management Associate) must count the cash drawers and deposits, including shift change counts, witness sealing of the deposit bag and sign the paperwork. If no witness exists, the Management Associate will count the money in the register.
- ◆ To ensure register integrity only one Associate will be assigned a designated register for a scheduled amount of time. The only exception would be the necessity of a *management only* function which needed to be entered (i.e. refunds/exchanges, item corrects, employee sales or any Admin functions).
- ◆ No personal or payroll checks may be cashed for Associates or Guests.
- ◆ Never authorize, use, share or access any Cashier#/Password other than your own unless required by policy.

## Quick Change Artists

- ◆ Any time a large bill, \$50/\$100, is presented, the Senior Management person on duty is to be called to verify the bill before the transaction is processed and register drawer opened.
- ◆ When ringing up a cash sale, ONLY give change as instructed by the register. Do not make change other than from the original bill tendered. ALWAYS count back change to the Guest. Be alert for quick-change artists. If confused, IMMEDIATELY shut the drawer and call a Senior Management person on duty for assistance.
- ◆ A quick-change artist tries to confuse the cashier. They will be very friendly and most likely be in a hurry.
  - ◆ They makes a small purchase and tenders payment with a large denomination bill, \$50 or \$100.
  - ◆ Right after the change has been given, they ask to pay for the same purchase with a smaller denomination bill and requests the larger bill they gave you be returned to them.
  - ◆ **STOP.** This usually results in the confused cashier giving back the original high denomination bill and allows the quick-change artist to keep the change from the original high denomination bill.
  - ◆ If a Guest requests the original bill back, shut the drawer and call your Senior Management person on duty, who will review the situation to insure the store and Guest have the right amount of money.
- ◆ All Associates must focus on the Guest and their payment when operating the register. Do not let yourself be sidetracked or confused.
- ◆ If you have questions regarding this procedure, discuss them with your Store Manager. A quick-change artist is **NOT** an excuse for a cash shortage.

## Shoplifting Prevention

GREAT GUEST SERVICE! There is nothing a shoplifter hates more than a friendly, attentive and alert Associate!

- ◆ ALL Associates must greet ALL Guests like they were coming to a party in your home. Make eye contact, be sincere.
- ◆ Be sure to acknowledge all Guests, especially when busy. Comments like "If you need any help, just nod, I'm sure I'll see you", or "I'll check back with you in a few", provide comfort to Guests and distress to shoplifters. Acknowledge their existence.
- ◆ All Spencer's Associates must view all assigned SLC courses.
- ◆ All Associates must read and understand the External Theft Policy & procedures (LP—103 located on the POS Register System) before stopping/detaining any person suspected of shoplifting. Only Management Associates are permitted to stop/apprehend a suspected shoplifter.



# **Drug & Alcohol Policy**

All Associates of Spencer Gifts LLC will be required to complete the Spencer Gifts LLC *Informed Consent & Release of Liability Form\** upon hire in our Hiring Management System. This form is stored in the Associate's electronic personnel file for future reference. Please read the Summary of Substance Abuse Policy HR-205 on the POS Register System CAREFULLY to ensure you understand the policy completely.



**"Any Associate who is found to be in possession of alcohol or illegal drugs on Company property or working under the influence of same will be promptly discharged and may be prosecuted."**

## **For the purpose of this Policy:**

- ◆ The term "illegal drug" also includes devices or paraphernalia related to the usage of drugs and includes marijuana.
- ◆ "Company property" includes all buildings, Company vehicles and outside areas owned, leased or otherwise operated by Spencer Gifts LLC.
- ◆ "Possession" includes the use or distribution of illegal drugs on Company property or the bringing of illegal drugs onto Company property.
- ◆ Certain prescription and nonprescription substances such as pain relievers, diet pills, cold/ hay fever remedies, and some amphetamines can reduce one's alertness and, in general, create a potential safety hazard for oneself as well as others. To protect yourself and Spencer Gifts LLC, consult your physician if you have any concerns regarding the use of these substances or start to experience negative side effects, like reduction of alertness, while using them.

## **Finding Illegal Drugs at Work**

- ◆ Remember to use caution.
- ◆ Do not discard or transport the drugs yourself.
- ◆ Notify the Store Manager (if applicable), your District Sales Manager and Loss Prevention Department: 609.645.5613 or POS Support Center after normal East Coast business hours.
- ◆ After speaking with your District Sales Manager or Loss Prevention contact the local police department to have the drugs removed and file an incident report.
- ◆ Failure to follow these procedures will result in termination.



# **Background Checks**

- ◆ In accordance with applicable law, Spencer Gifts LLC will require Background Checks, including criminal history record checks, for all prospective temporary or permanent Store Management Associates (new hires, rehires, or promotions of Sales Associates into a Management position - age 18 or older) and/or any prospective Associate of a Target Store. The Company also may inquire about an Associate's education and employment history as part of its Background Check process.
- ◆ In Canada, it is the Store Manager's or District Manager's responsibility to process the Background Check according to the Canadian Background Checks policy using the Consent & Disclosure Form found in New Hire Paperwork on Trovato.
- ◆ Continued employment is contingent on successfully passing the Background check. Any falsification or omission in the Criminal Conviction History onboarding form may result in termination.



## **Inspection of Personal Property**

- ◆ Spencer Gifts LLC reserves the right to inspect all personal property while on or leaving all Company premises - including Store, Home Office, Distribution Center, Off-Site/Remote Storage and other Company locations.
- ◆ Personal property inspections will be conducted to ensure location security.
- ◆ All bags/containers carried in or out of the location must be inspected during shift changes, breaks or during trash removal.
- ◆ Associates, including Zone Managers, District Sales Managers and visitors from the Home Office are required to submit to a personal property inspection on days off if they enter the stockroom, go behind the register area or enter any area which is generally not considered open to the public. An Associate who visits the store (i.e. to shop) during a day off will be treated as a Guest, given that the Associate remains on the sales floor.
- ◆ Store Management is responsible for ensuring that personal property inspections take place for all Associates, including members of the Management team, visitors from the Home Office, District Sales Managers, Special Projects District Sales Managers, Zone Managers and Regional and Territory Sales Directors, etc.
- ◆ Spencer Gifts LLC is not responsible for the loss, damage or theft of any Associate's personal property. It is recommended that Associates do not bring any property which is not needed for their work shift.
- ◆ Failure to follow the Inspection of Personal Property policy will result in disciplinary action, up to and including termination.

# Associate Health and Safety

## Smoking Tobacco/Non-tobacco Products

- ◆ There is **NO SMOKING or use of any tobacco/non-tobacco products** including electronic cigarettes/e-vapes/e-hookahs in any SPENCER GIFTS LLC store, including the stockroom, bathrooms, off-site storage, fixture trailers or storage containers regardless of state, mall or landlord regulations.
- ◆ If an Associate violates smoking regulations and/or receives a fine, it is considered to be the Associate's personal expense and will result in disciplinary action up to and including termination.
- ◆ Additional breaks for smoking are not allowed.



## Phones, Cell Phones, & Electronic Communication Devices

**In today's hectic and fast-paced world, the Company recognizes that Associates may need to carry a cell phone or other electronic communication device.**



- ◆ If a Store Associate should carry a cell phone or other electronic communication device, no personal calls or text messages are to be made/sent or answered while on the clock, unless there is an emergency.
- ◆ The device can be left on, but should be muted.
- ◆ An Associate may use it to take pictures of product, events, celebrity sightings, etc. and post on their social media pages as well as Spirit social media pages. Posts on Social Media are to be made after the Associate has clocked out and are not to be made while on the clock so as to not interfere with Guest Service. Guest Service is our main priority and Guests should not perceive or think that Associates are distracted instead of paying attention.
- ◆ The Company is not responsible for any outside phone or electronic communication device expense. Charges incurred will only be reimbursed when authorized by the Spirit Zone Manager and/or Home Office in writing, prior to the expense being incurred.
- ◆ All Associates are required to have a means of communication to contact or be contacted by the Store Manager, District Sales Manager, Zone Manager and/or Regional Sales Director.
- ◆ While Field Executives are required to keep their cell phones on for business purposes, calls should be taken from the backroom, the mall or outside of the store after an appropriate personal property inspection.

## Operation of Compactor/ Freight Elevator

- ◆ Under current U.S. Federal Law it is **ILLEGAL** for ANYONE UNDER THE AGE OF 18 TO OPERATE, LOAD OR UNLOAD A CARDBOARD OR TRASH COMPACTOR OR TO OPERATE A FREIGHT ELEVATOR. Violation of this Law can lead to injury and heavy fines being imposed on the Company.



- ◆ NO ONE UNDER THE AGE OF 18 IS TO:
  - ◆ LOAD = put trash or cardboard into compactor,
  - ◆ UNLOAD = empty compactor,
  - ◆ OPERATE = push the button on
- ◆ A TRASH COMPACTOR OR FREIGHT ELEVATOR.

# **Associate Safety**

## **"Prevention is the Best Medicine"**

All Associates must complete the safety curriculum in the Spencer's/Spirit Learning Center (SLC), as assigned, within the first two weeks of employment.

### **Prevent store accidents:**

- ◆ Good housekeeping must be practiced at all times. Pick up any items from the floor that could pose a safety hazard and consistently recover the store.
- ◆ Keep the stockroom neat and organized.
- ◆ Keep the floor of the cash & wrap clear at all times.
- ◆ Wipe up spills immediately.
- ◆ Make sure fixtures, shelves, walls and "H" frames are securely fastened before stocking.
- ◆ Do not climb on fixtures or shelving. Use a ladder or step stool. Do not sit, stand or climb on the Overhead Stocking Platform (OSP). Always follow the Ladder Safety Policy.
- ◆ Take precautions not to over stock shelves. Do not place any large heavy items in the overhead area or OSP.
- ◆ Use care and caution when climbing ladders. Do not attempt to stretch to reach items, simply move the ladder. Do not step on or above the top two rungs of the ladder.
- ◆ Use the large muscles of the leg by bending your knees when lifting, instead of the smaller muscles of the back.
- ◆ Handle all sharp implements with care. Remember to always cut away from your body and use the safety box cutters.
- ◆ Do not pick up broken glass with your hands. Use a broom and dustpan.
- ◆ Trash or recycling must be broken down and placed in the dumpster to maximize its capacity. Do not ever jump inside of a trash dumpster.
- ◆ View all Spencer's/Spirit Learning Center Safety courses and successfully pass all assessments.
- ◆ Refer to the Safety Policies in Trovato for additional information.
- ◆ Canada Associates should refer to the Health & Safety at Work program.



## **Workers' Compensation**

**Workers' Compensation** is a form of insurance providing medical benefits and wage replacement to Associates injured in the course of employment.

In the event of an accident or injury ask the Associate if they are okay.

**EMERGENCIES** - If the Associate requests or obviously needs urgent medical attention, contact 911 or your local emergency services immediately. Make sure the Associate is comfortable. Do not administer first aid unless certified to do so. After the Associate receives the appropriate medical attention, please notify Corporate Human Resources at 609-645-5300.

- ◆ **NON-EMERGENCIES** - A list of pre-approved medical providers is posted on the HR Bulletin Board at each store location. These providers can be used to receive an initial medical evaluation.

# **Workers' Compensation (continued)**

When you are confident that the Associate is comfortable, continue with the following procedures:

- ◆ Complete the Employee Accident Form found on the Office side of Trovato in the General Docs and Forms Section. In the Store Admin Forms folder, look for the form titled "*EMPLOYEE ACCIDENT FORM*". **ALL INJURIES** need to be reported on the **SAME DAY** as the accident, regardless if medical assistance is needed or not. Please follow the steps below. Any Store Associate may report an accident and/or enter it into the Employee Accident form.
  - For non-emergencies, Associates are to consult Sentry Managed Care Panel on the poster bulletin board for a list of medical providers (doctors, hospitals, clinics, etc.), and/or instructions for their state/province.
  - If the Associate is transported from the store by emergency personnel, be sure to ask where the Associate will be taken. Complete the Employee Accident Form before the Associate leaves the store, if possible.
  - Be sure to answer all questions completely and be as detailed as possible. If circumstances do not allow you to obtain all of the information at the time of the accident, list "unknown".
- ◆ **MEDICAL PROVIDER SHOULD NOT BE PAID WITH PERSONAL MEDICAL INSURANCE.**
- ◆ All Work Status doctor/hospital notes and reports must be faxed to the Human Resources Department at 609.645.5677. Corporate Human Resources contact: 609.645.5300.
  - For questions and accident reports when Trovato is unavailable call the POS Support department at 609-645-5654.

## **ASSOCIATE WORKERS' COMPENSATION INSURANCE INFORMATION**

Please bring the following information to the medical provider and pharmacy:

**All States except:** OH, ND, WA, WY, and Canadian provinces are covered by:

Sentry Claims  
PO Box 8032  
Stevens Point, WI, 54481  
1-800-473-6879  
Policy number 90-15708

## **Monopolistic States and Canada (State/Province Funded Workers' Compensation)**

**OHIO** — Associate must call 888.743.2559

Sheakley UniComp  
Attn: MCO Dept  
One Sheakley Way  
Cincinnati, OH 45246

**WASHINGTON** — Associate or Doctor must complete an L & I form at the medical facility upon treatment.

Sheakley UniComp  
Attn: MCO Dept  
One Sheakley Way  
Cincinnati, OH 45246

## **NORTH DAKOTA**

Complete the Accident Form on Trovato and Human Resources will fill out the First Report of Injury form with the North Dakota Workforce Safety and Insurance (WSI).

## **WYOMING**

Complete the Accident Form on Trovato and Human Resources will fill out the First Report of Injury form with the Wyoming Department of Workforce Services' Workers' Compensation.

## **CANADA PROVINCES**

Complete the Accident Form on Trovato and Human Resources will fill out the First Report of Injury form with the Workplace Safety and Insurance Board (WSIB).



# **Associate Safety Checklist**

**Please review each section with your Supervisor or designee.**

- ☐ Good housekeeping must be practiced at all times. Pick up all items from the floor that could pose a hazard. Keep all floors clear at all times. Wipe up spills immediately.
- ☐ Keep the stockroom neat and organized.
- ☐ Shelves must be securely fastened before stocking.
- ☐ Take precautions not to over stock shelves. Place large product lower to the floor.
- ☐ Do not climb on fixtures or shelving. Use a ladder or step stool.
- ☐ Use only Company issued safety box cutters. Remember to always cut away from your body.
- ☐ Do not jump in any dumpster to compact cardboard. Break boxes down prior to putting them in the dumpster.
- ☐ Refer to the Emergency Procedures Poster that is posted in the store for information on fires, severe weather and other emergency situations.

## **Ladders**

- ☐ Keep all ladders in the stockroom and safely stored when not in use.
- ☐ When in use, ladders must be fully opened with the spreaders locked and have a firm base under all four legs.
- ☐ Use care and caution when climbing ladders. Do not attempt to stretch to reach items. Move the ladder.
- ☐ Never place ladders on boxes, in a truck, or on other objects to obtain additional height. Obtain and use a ladder of sufficient height for the job.
- ☐ Clean mud and grease from shoes before using a ladder. Wear only closed-toe shoes if climbing a ladder.
- ☐ Do not attempt to lean too far to the side when working on a ladder as this can cause loss of footing and balance. Shifting weight to one side can cause the ladder to tip and fall.
- ☐ Do not climb on shelving or fixtures in place of a ladder.
- ☐ Do not climb on the Overhead Stocking Platform from ladders.
- ☐ Do not use the top two steps of the ladder.
- ☐ Take unsafe ladders out of service and discard in the presence of your District Sales Manager.
- ☐ When getting an item while on a ladder, do not attempt to bring the item down while descending the ladder. Hand the item down to another Associate.

## **Lifting, Sprains and Strains**

- ☐ Before moving merchandise make sure you have a clear path and a place to set the merchandise down.
- ☐ Consider the weight of the object before lifting. Test by lifting one corner or pushing the object. If it is heavy or clumsy, get a hand truck or cart, or ask another Associate for assistance.
- ☐ When in doubt, do not lift the object alone.
- ☐ Split the load into several smaller ones when possible.
- ☐ Get a good grip on the object prior to lifting. Use safety gloves.
- ☐ Do not twist or turn your body once you have lifted the object.
- ☐ Use proper lifting techniques (bending your knees, not your back, and keep the load close to your body). Use the large muscles of the leg instead of the smaller muscles of the back by bending your knees.
- ☐ Use hand trucks and carts to reduce carrying.
- ☐ Use 4-wheel carts, if available, to transport large loads.
- ☐ Do not leave hand trucks and carts on the sales floor.

# **Associate Safety Checklist (continued)**

## **Slips and Falls**

- ☐ Check carpet, tile or floor to ensure that there is no damage that may cause an accident.
- ☐ Clean up spills promptly and properly.
- ☐ All floor surfaces must be clear of tripping hazards. Examples: plastic bags and boxes.
- ☐ Aisles must be free and clear on the sales floor and in the stock room.
- ☐ Keep boxes on the sales floor away from heavy traffic areas.
- ☐ Cash and Wrap area must be free of clutter, especially on the floor.
- ☐ Associates or Guests must not walk across wet floors.
- ☐ Use the "Caution Wet Floor" sign when the floor is wet and direct Guests away from the area until floor is fully dried.

## **Hazards**

- ☐ Brackets must be secured to walls.
- ☐ Unused fixtures and pegs must be stored neatly and safely.
- ☐ Merchandise must be stocked in a way to prevent shelf and peg overload and instability.
- ☐ Light bulbs must be stored properly (in a secure location and packaged).
- ☐ Make sure sharp edges of pegs and shelving are properly covered and not hazardous to Associates or Guests.
- ☐ Use only Company issued safety box cutters. Remember to always cut away from your body.
- ☐ Store broken glass or other items with a sharp edge in a separate bag/box from other damaged merchandise.
- ☐ Use a broom and dustpan, or safety gloves when picking up broken glass.

## **Electrical**

- ☐ Only use extension cords provided by the Company from In-store supplies.
- ☐ Do not pull out an electrical plug by its wire.
- ☐ Conceal power strips and cords.
- ☐ Do not attempt to repair any electrical items without specific instructions from the Home Office.
- ☐ Nothing must be placed within 18 inches of the electrical power box or sprinkler heads.
- ☐ Use a minimum of a 12 gauge commercial grade extension cord.

## **Fire Safety**

- ☐ Smoking/Vaping is not permitted on any Company property including the sales floor, stock room, off-site storage, Distribution Center, Home Office, etc.
- ☐ Exit doors must be unobstructed.
- ☐ Exit signs must be lit and secured.
- ☐ All fire extinguishers must have been serviced in the past twelve months (or as directed by state or provincial law).
- ☐ If fire extinguishers have not been serviced in the past twelve months, immediately contact your Supervisor, who will submit a store work request.
- ☐ All fire extinguishers must be mounted and secured against movement. All fire extinguishers should be rated AA10BC or better.
- ☐ Make sure all emergency lighting fixtures are operable in all of your locations.

## **General Safety**

- ☐ All Associates must be familiar with the information found on the Emergency Procedure Poster.
- ☐ Emergency phone numbers must be posted near the phone and on the poster.
- ☐ All stores must have a working flashlight and a well-stocked first aid kit.
- ☐ All health and safety concerns must be reported to the Supervisor. If the issue has not been satisfactorily taken care of, notify the Home Office, Store Operations and/or the DVP Field Human Resources at 609-645-5486.

May 2021

# General Information

## General Policies

- ◆ No one is allowed in the store before or after scheduled store hours without District Sales Manager knowledge and authorization. You must call the POS Support Center at 800.888.8612 and the District Sales Manager, if it is necessary to re-enter the store after closing.
- ◆ Only Spencer Gifts LLC Associates, who are scheduled to work, are allowed in the store prior to opening or after closing.
- ◆ No one is allowed in the stockroom other than Associates and/or service personnel. Service personnel may not be left unattended.
- ◆ Call Store Operations before allowing any non-Associate of Spencer Gifts LLC to review your records or inspect merchandise or equipment. The only exception is the US Department of Labor, who may inspect records without prior approval. This may only be done after presenting proper identification. The Human Resources Department must be informed immediately. If after East Coast business hours, call POS Support Center at 800.888.8612.
- ◆ No checks may be cashed in the register or from the bank deposit for either Associate or Guest.
- ◆ Co-workers may wish to take up a collection for a gift for the Manager or an Associate. This is to be strictly voluntary. No one will be required to give money or participate in any type of collection.
- ◆ Refer anyone who requires an employment verification to The Work Number 800.367.2884. Do not complete any legal form at the store level. Direct them to the Legal Department at 609.645.5510 or 609.645.5409. Never commit yourself, verbally (including over the phone) or in writing, without obtaining prior written authorization.
- ◆ Notify the Legal Department or Human Resources immediately upon receipt of any legal related paperwork. Send all such paperwork to the Legal Department immediately. This includes any paperwork concerning issues you may feel have already been resolved.
- ◆ Never discuss confidential store information with non-Associates of Spencer Gifts LLC including sales, wages, or Associate details. If someone claims to be an Associate or closely associated with the Company, ask for identification. If you are unsure of the credentials shown, check with Spencer's Operations at 609-645-5536, for Spirit check with Human Resources at 609.645.5601.
- ◆ Never grant an unauthorized interview, make unauthorized statements or allow individuals to take photographs or videotape within the store.
- ◆ Refer all media requests (all news reporters) to the Home Office at 609.645.5409. Refer any other requests for information to Store Operations. If you have an Emergency, please call POS Support Center at 800.888.8612.
- ◆ Never withhold any Associate's pay, including a terminated Associate.
- ◆ Do not agree, under any circumstance to any phone solicitations at your store without the approval of your District Sales Manager. An example of this might be when the Yellow Pages Company or a Company like this asks if you'd like our store to be listed in the phone book. All purchases are made through the Home Office.
- ◆ The appropriation for oneself or the diversion to others, directly or indirectly, of any business opportunity from which Spencer Gifts LLC might benefit is prohibited.
- ◆ Do not remove any ink tags on Spencer's merchandise for a Guest without first reviewing the Guest's receipt for that product or speaking to a Management Associate. Do not remove any ink tags from any product that is not Spencer's such as a purchase from another retailer in the mall.
- ◆ Do not wear any unpaid Company merchandise for demo purposes unless it has been directed by Store Operations.

## Policy Violation

Violation of any Company policy, including falsification or distortion of facts on your application, will result in appropriate disciplinary action up to and including termination of employment. The Company has the right to pursue reimbursement for any financial loss the Company incurs. Such action may also include criminal prosecution and any other legal or equitable rights and remedies permitted by law, including, but not limited to, the recovery of reasonable attorney's fees.

# Violation of Company Policies

**The actions or behaviors listed below are indicators of violations of Company policies. Any Associate found exhibiting these behaviors or actions will be subject to disciplinary action up to and including termination, as circumstances warrant. This list of actions and behaviors indicating a policy violation is not all inclusive.**

1. Violation of Attendance Policy.
2. Failure to conform to the Company's Dress Code, including —Spencer's name badge and Spirit's apron.
3. Reporting to work without a positive attitude, regardless of personal issues.
4. Sitting, standing or leaning on fixtures or counters. Sleeping in the store at any time.
5. Making or receiving personal phone calls, sending or receiving personal text messages.
6. Eating, drinking and/or gum chewing on the sales floor.
7. Failure to demonstrate merchandise in a safe manner.
8. Failure to greet our Guests in a positive manner.
9. Conversation or congregating between friends/Associates, except on business issues.
10. Disregard or violation of safety rules or common safety practices.
11. Posting or removing notices in any area of the Store or on bulletin boards without prior approval from a Management Associate.
12. Use of any tobacco/non-tobacco products (e-cigarettes/e-vapes/e-hookahs, cigarettes) on Company property.
13. Opening the store after the Company required time or closing the store prior to the Company required time.
14. Insubordination
15. Rude or discourteous behavior to our Guests or fellow Associates.
16. Carrying, possessing, or using firearms or any dangerous weapons at any time on Company property.
17. Working under the influence of or possessing alcohol or illegal drugs on Company property.
18. Disorderly conduct, including but not limited to using vulgar, profane, obscene or abusive language or behavior, fighting with, assault, threatening or intimidating any person, including horseplay.
19. Abusing, destroying, damaging or defacing Company property.
20. Failure to cooperate with any investigation by law officials or a Loss Prevention/Human Resources Representative.
21. Concealment of information from Management, independent auditors, or the Company's Loss Prevention and/or Human Resources staff concerning any policy violation or illegal action by any Associate.
22. Falsification of employment application or other Company documents including sales, time keeping records, etc.
23. Conduct that creates a hostile work environment or is considered sexual harassment. Harassment is anything which creates fear, intimidates, ostracizes, psychologically or physically threatens or in some way unreasonably over-burdens or precludes an Associate from reasonably performing their work.
24. Off-duty conduct that reflects negatively on or does not represent Spencer's LLC in an appropriate manner. This includes, but is not limited to, shoplifting or other forms of theft, illegal use of drugs or alcohol or providing alcohol, drugs or tobacco products to those underage or violence against others. All Associates must report off-duty arrests, convictions, deferred adjudications, STET, etc.
25. Theft, attempted theft, unauthorized possession, or removal of any Company merchandise, paperwork, supplies, cash or property or the property of others.
26. Dishonesty or the failure to report an act or plan of dishonesty.
27. Entering the store before or after scheduled store hours without District Sales Manager knowledge and authorization.
28. Allowing anyone other than Company Associates and/or service personnel in the stockroom.
29. Using or permitting the use, by anyone under the age of 18, to operate, load or unload a cardboard or trash compactor or to operate a freight elevator. No Associate at any age shall jump in a dumpster for any reason.
30. Requiring or allowing Associates to work "off the clock," or failure to clock in or out, editing own time records and/or clocking in or out for others without authorization for any reason.
31. Failure to complete bag/pocket/pant leg checks for every Associate upon leaving the store at the end of the shift, for breaks, trash removal or any other time. Spencer's Associates are to use mesh/clear bags.
32. Failure to process and make bank deposit (at the bank or approved drop site) on a daily basis.
33. Acceptance of a declined or unauthorized debit or credit card.
34. Giving unauthorized discounts either in percentage or discount type.
35. Allowing non-authorized individuals to use the Associate discount or other Company discounts.
36. Allowing non-Management Associates to have store keys, safe combinations or access to other security devices. Self-use or allowing other Store Associates access to individual's User IDs, Cashier numbers or Passwords.
37. Failure of Management Associates to inspect all trash, prior to daily removal from the store.
38. Bringing or housing pets/animals in the store at anytime is prohibited.
39. Failure to close the store with at least 2 Associates.

May 2021



The information contained in the following pages pertains  
ONLY to Spencer's Store Associates.

The policies contained in this addendum shall not apply to  
Spirit Store Associates.

# Progressive Discipline

**The purpose of this policy is to state Spencer's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace.**

- ◆ The major purpose of any disciplinary action is to correct the problem, prevent recurrence and prepare the Associate for satisfactory service in the future.
- ◆ Although employment with Spencer's is based on mutual consent, both the Associate and Spencer's have the right to terminate employment at will, with or without cause or advance notice. Spencer's may use progressive discipline at its discretion.

Disciplinary action may call for any of these steps:

- 1. Record Of Conversation**
- 2. Written Warning**
- 3. Final Written Warning**
- 4. Termination Of Employment**

- ◆ Depending on the severity of the problem and the number of occurrences, there may be circumstances when one or more steps are bypassed.
- ◆ Spencer's recognizes there are certain types of Associate actions which are serious enough to justify disciplinary action, or in some situations, termination of employment, without going through the usual progressive discipline steps.
- ◆ While it is impossible to list every type of behavior which may be deemed a serious offense, the *Code of Conduct and General Policies* includes examples of actions, which may result in immediate discipline up to and including termination of employment. The actions listed are not all necessarily serious offenses and may be examples of unsatisfactory conduct which will trigger progressive discipline. (Review HR Policy 208 and HR Policy 222)
- ◆ By using progressive discipline, we hope work performance can be corrected at an early stage, benefiting both the Associate and Spencer's.

## Steps of Documentation

- |                 |  |
|-----------------|--|
| 1 <sup>st</sup> | Unexcused Absence (within 12 months) = Written Warning       |
| 2 <sup>nd</sup> | Unexcused Absence (within 12 months) = Final Written Warning |
| 3 <sup>rd</sup> | Unexcused Absence (within 12 months) = Termination           |
| 1 <sup>st</sup> | No Call Absence (within 12 months) = Final Written Warning   |
| 2 <sup>nd</sup> | No Call Absence (within 12 months) = Termination             |
| 1 <sup>st</sup> | Tardy (within 12 months) = Written Warning                   |
| 2 <sup>nd</sup> | Tardy (within 12 months) = Final Written Warning             |
| 3 <sup>rd</sup> | Tardy (within 12 months) = Termination                       |

## Progressive Discipline Documentation for Attendance

Counseling sessions should be used to inform an Associate of a violation of the *Attendance Policy*. Associates should be immediately informed if they are no longer in good standing and are being placed on progressive discipline.

### Examples of Progressive Discipline for Various Attendance Violations:

- |                 |  |
|-----------------|--|
| 1 <sup>st</sup> | Unexcused Absence (within 12 months) = Written Warning       |
| 1 <sup>st</sup> | No Call Absence (within 12 months) = Final Written Warning   |
| 2 <sup>nd</sup> | Unexcused Absence (within 12 months) = Termination           |
| 1 <sup>st</sup> | Tardy (within 12 months) = Written Warning                   |
| 2 <sup>nd</sup> | Tardy (within 12 months) = Final Written Warning             |
| 1 <sup>st</sup> | Unexcused Absence (within 12 months) = Termination           |
| 1 <sup>st</sup> | Unexcused Absence (within 12 months) = Written Warning       |
| 2 <sup>nd</sup> | Unexcused Absence (within 12 months) = Final Written Warning |
| 1 <sup>st</sup> | Tardy (within 12 months) = Termination                       |
| 1 <sup>st</sup> | Tardy (within 12 months) = Written Warning                   |
| 1 <sup>st</sup> | Unexcused Absence (within 12 months) = Final Written Warning |
| 1 <sup>st</sup> | No Call Absence (within 12 months) = Termination             |

**Management must document each occurrence of Tardy or Absence on a Performance Notice.**

May 2021

# Benefits

## Eligibility Requirements

Benefits eligibility is dependent upon a variety of factors. The table below identifies the programs for which each Associate is eligible.

When an Associate becomes "benefit-eligible", the Benefits Department automatically sends an email message via store email to the Associate regarding benefit information with instructions on how to sign up for benefits.

*Spencer's intends to continue the benefit plans and payments indefinitely, but reserves the right to change or terminate any plan and to implement changes required by federal, state or local law.*

	Contests	Associate Discount	Anniversary Recognition	401K & RRSP	Paid Holidays	Paid Vacation	Bereavement	Jury Duty	Sick Pay	EAP	Health Benefits	Life Insurance	AD&D	Travel Insurance	STD	FSA	LTD
Spencer Store Manager	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Spencer Assistant Store Manager	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Spencer Sales Supervisor	X	X	X	X	X	X	X								*		
Spencer Sales Associate	X	X	X	X											*		

**\*NOTE: All Associates in CA, HI, NJ, NY and RI regardless of their position, may be eligible for state disability benefits.**

## Employee Assistance & Wellness Program

The **Employee Assistance Program** is a **FREE** Confidential counseling and referral service.

**WHAT IS IT?** The EAP program is a service our organization offers our employees that allows for access to counseling and daily living support without any cost to the Associate. The EAP is designed to help our company Associates and their family members deal with issues surrounding marital/family stress, emotional difficulties, alcohol/drug use and abuse and many situations that can continue to impact a person's well-being.

### **TELEPHONIC SERVICES**

- ◆ Associates and their family members can access the EAP by dialing the dedicated toll-free number where they will be connected to an EAP Care Manager who conducts the initial intake assessment to determine the most appropriate referral to meet the participant's needs.

### **THREE SESSION MODEL**

- ◆ The 1-3 session model allows each Associate to be assessed and receive up to 3 (three) EAP sessions per concern, per year, respectively. These short-term sessions are designed to address situational issues.

### **YOUR EAP IS COMPLETELY CONFIDENTIAL & AVAILABLE 24 HOURS/DAY, 365 DAYS A YEAR**

#### **U.S. Phone Number**

855-775-4357

rsli@acieap.com

#### **Canadian Phone Number**

877-847-4525

www.achievesolutionsglobal.net

**Have Questions?** Call any member of the Benefits Team at 1-800-284-4737, press option 3.

# Sick Pay

## **HOURLY BENEFIT ELIGIBLE ASSOCIATES**

- ◆ Benefit eligible Associates are provided with up to five (5) days off with sick pay during the year.
- ◆ Sick time is only to be used for genuine sickness or for family sickness.
- ◆ See Policy HR-809 for benefit eligibility details.

## **SALARIED ASSOCIATES & CALIFORNIA STORE MANAGERS**

- ◆ Receive full pay for up to 10 days for time off due to illness or bona fide emergency.
- ◆ If the illness results in being off three (3) consecutive workdays, a doctor's note must be forwarded to the Human Resources Department, fax number 609.645.5677.
- ◆ See Policy "HR-809 Sick Pay" for benefit eligibility details.
- ◆ Any questions concerning Sick Time should be directed to the Human Resources Department.
- ◆ **There is no pay out of sick time upon separation.**
- ◆ \*In the event, that State/Provincial law provides eligibility for more hours and/or uses of paid sick time than Company policy, the State/Provincial law will be followed.



# Vacations in the U.S.

Throughout each calendar year, all eligible Spencer's Associates are awarded vacation time to be taken during the course of that calendar year. \*Vacations are based upon the Associate's length of service with the Company and prior year's average hours worked. For newly hired Associates, use the average hours worked for the current year. See Policy "HR-806 Paid Vacations" for eligibility details.

- ◆ Each year, a list of "High Guest Traffic Days", or periods of time when vacation may not be scheduled (blackout dates) is established and sent to the stores from Store Operations and is located on the Office side of Trovato.
- ◆ It is the responsibility of the Senior Management Associate to ensure vacation time is scheduled and used by all benefit-eligible Associates, according to the *Vacation Policy* guidelines.
- ◆ As per policy, vacation requests should be made at least one (1) month in advance. Vacation requests are subject to the Approval of the Store Manager/District Sales Manager.



Unused vacation will not be paid out or taken upon termination or resignation (regardless of approval prior to the resignation). In states that have a vacation payout requirement, the vacation will be pro-rated based upon the Associate's termination date and the amount of vacation used to date.

***Associates who have vacation time must take the awarded time off in the year that it is granted. There is no payout or carryover of unused vacation unless state law requires otherwise.***

# Vacations in Canada

Paid vacations are based upon the Spencer's Associate's length of service with the Company and prior year's average hours worked. Associates receive up to 4% of their total yearly earnings for vacation pay and after 5 years, Associates receive up to 6%. For newly hired Associates, use the average hours worked for the current year.

May 2021



# Holidays

Spencer's eligible Associates are paid for Company holidays, but must work their last scheduled day before and the first scheduled day after the holiday. Store Managers and Assistant Store Managers are eligible for paid holidays on the first of the month following 60 days of employment or entering into the position if employed more than 90 Days. Sales Supervisors are eligible for paid holidays upon one year of service with the Company.

- ◆ Hourly benefit-eligible Associates are paid based upon their average daily hours worked for the 12 weeks prior to the holiday\*.
- ◆ Benefit Eligible Associates on vacation when a holiday occurs will receive their holiday pay and will not be charged for a vacation day.
- ◆ Hourly benefit-eligible Associates who work on a paid holiday receive their holiday pay in addition to getting paid straight time for the actual hours worked on that day.
- ◆ Salaried Associates may receive their Holiday on an alternately scheduled day based on business needs. See the Store Operations Work Load Calendar for details.
- ◆ See Policy "HR-805 Paid Holidays" or "HR-805C—Canadian Paid Holidays" for eligibility details.
- ◆ Canadian Associates must refer to the Provincial laws governing paid holidays for their Province.

\*Unless state or Provincial Laws require a different calculation.

## Holidays in the USA



- ◆ New Year's Day
- ◆ Memorial Day
- ◆ Independence Day

- ◆ Labor Day
- ◆ Thanksgiving Day
- ◆ Christmas Day



## Holidays in Canada

Canadian Associates must refer to the Provincial laws governing paid holidays for their Province. These are also shown in the Policy & Procedure Manual—Canadian Version.

- |                            |   |   |
|----------------------------|---|---|
| ◆ New Year's Day           | - | All Provinces   |
| ◆ Louis Riel Day           | - | Manitoba Only   |
| ◆ Family Day               | - | Alberta, British Columbia, Ontario & Saskatchewan Only  |
| ◆ Good Friday              | - | All Provinces   |
| ◆ Victoria Day             | - | All Provinces (except Nova Scotia & New Brunswick)      |
| ◆ Canada Day               | - | All Provinces   |
| ◆ Labour Day               | - | All Provinces   |
| ◆ Thanksgiving Day         | - | All Provinces (except Nova Scotia & New Brunswick)      |
| ◆ Remembrance Day          | - | British Columbia, Alberta, New Brunswick & Saskatchewan |
| ◆ Christmas Day            | - | All Provinces   |
| ◆ Boxing Day               | - | Ontario Only  |
| ◆ British Columbia Day     | - | British Columbia Only                                   |
| ◆ New Brunswick Day        | - | New Brunswick Only                                      |
| ◆ Nova Scotia Heritage Day | - | Nova Scotia Only  |
| ◆ Saskatchewan Day         | - | Saskatchewan Only                                       |



# Jury Duty

**Benefit eligible Spencer's Associates who are called for jury duty will be paid the difference between their average pay and the earnings from serving on the jury.**

**For Example:**

- ◆ You received \$10.00 a day for jury duty.
- ◆ During an average day you would have been paid \$56.00.
- ◆ Spencer's will pay you \$46.00 for each day you are on jury duty for up to one week.
- ◆ Send a copy of the juror's pay receipt to the Payroll Department in Egg Harbor Township, NJ for payroll processing. Fax 609.645.5777
- ◆ A copy of the juror's pay receipt should be kept in the Associate's file.
- ◆ Store Managers and Assistant Store Managers are eligible for paid Jury Duty on the first of the month following 60 days of employment or entering into the position if employed more than 90 Days.
- ◆ All state laws concerning this issue must be followed.



# Bereavement Policy

Spencer's Store Management Associates may take paid time off from work in the event of the death of a family member. Bereavement time off is separate from Vacation and Sick time. Therefore, approved Bereavement time off from work will not affect a Store Associate's unused Vacation and/or Sick time.

Store Managers and Assistant Store Managers are eligible for bereavement pay at the same time they become benefit eligible. Sales Supervisors are eligible for bereavement upon one year of service with the Company.

- ◆ The death of an **Immediate Family Member** – Store Associates may be granted **up to three (3) scheduled days** off from work with pay in the event of the death of an immediate family member defined as spouse (includes lawfully recognized same-sex marriage, common law marriage and domestic partnership), parent, child or sibling. This also includes step-parent, step-child, step-sister and step-brother.
- ◆ **The death of Non-immediate Family Members** – In the event of the death of other family members, **up to two (2) scheduled days** paid time off is given in order to attend funeral services. Non-immediate Family Member is defined as grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, aunt, uncle, niece and nephew.
- ◆ **The death of other and non-family members** — In the event of the death of non-family members, Store Associates may use benefit time in order to attend the funeral service.
- ◆ See Policy "HR-807 Bereavement" for benefit eligibility details.
- ◆ Bereavement pay for salaried Associates' is calculated based on the base pay rate at the time of absence and the hourly Associates' pay is calculated based on the Management Associates' average hours at the time of the absence. Neither will not include any special forms of compensation such as overtime, incentives or bonuses.
- ◆ See Policy "HR-807 bereavement" for benefit eligibility details.

# 401K Plan (U.S. ONLY)\*

- ◆ The Spencer Gifts LLC 401(k) Plan allows all eligible U.S. Spencer's/Spirit Associates to invest from 1% to 50% of their weekly salary in several investment plans up to the dollar limit set by law.
- ◆ To help reach your retirement savings goals, the company will match your contribution, adding \$1 to your retirement savings for every \$1 you contribute, up to 3% and \$0.50 on the next 2%.
- ◆ Full time Associates are eligible to enroll as early as their date of hire. Part time, temporary or seasonal Associates must complete 1,000 hours of service during the 12 month period measured from your date of hire/rehire, shifting to the calendar year if 1,000 hours are not worked in the initial 12 month period. This plan is considered part of your total compensation and you are encouraged to read all materials pertaining to this program.
- ◆ Upon eligibility, you may contact the Retirement Contact Center at 1-800-547-7754 or sign onto your account at [www.principal.com](http://www.principal.com) for enrollment information.



# **Medical, Dental & Vision Insurance**

- ◆ Coverage is offered to eligible Spencer's Associates and their immediate eligible family members. Medical Insurance is mainly paid for by Spencer's combined with a contribution on a bi-weekly basis from each insured Associate.
- ◆ Insurance Coverage is effective as follows:
  - ◆ New Hire - First of the month following or coincident with 60 days of active employment.
  - ◆ Rehire/Reinstatement - First of the month following the Associate's return to active employment (if within 6 months), provided the Associate had the elected coverage (medical, dental and/or vision) at the time of separation from the company.
  - ◆ Promotion to a benefit-eligible position - First of the month following 30 days after the promotion date, if employed for more than 60 days.
- ◆ The **Spencer's Electronic Benefits Enrollment/Change Form** (along with the **Health Care Enrollment Waiver Form**, (if declining coverage) must be completed and returned to the Benefits Department within 31 days of the benefit eligible date. **Be sure to complete the Beneficiary Designation Form for Basic Life Insurance/Basic Accidental Death & Dismemberment (AD&D) Insurance and Travel Accident Insurance (U.S. Only).**
- ◆ For a more detailed explanation of the different Medical, Dental & Vision plans available in your area, please visit the office side of Trovato under Documents/General Docs and Forms/ Human Resources/Associate Benefit Programs. If there are any questions, please email the Benefits Department in Human Resources at [benefitsdept@spencergifts.com](mailto:benefitsdept@spencergifts.com) or call 800.284.4737, option #3.
- ◆ If employment is terminated with the Company or there is a transfer to a non-benefit eligible position, medical, dental and/or vision benefits will continue through the last day of the month in which the event occurs. Premiums for coverage through the end of the month will be deducted from the paycheck. COBRA will be offered, which is an option to continue elected healthcare coverage for up to 18 months.

## **Short Term Disability (STD)**

- ◆ Short Term Disability (STD) provides benefit eligible Spencer's Associates with wage insurance in the event a serious illness or injury prevents them from performing the duties of their job beyond a specified waiting period.
- ◆ The STD program is integrated with federal and state Family Medical Leave and/or The Americans with Disabilities Act, as appropriate. STD payments are integrated with other sources of disability income such as State Disability, Worker's Compensation, Social Security Insurance, and any other legally required or Company sponsored plan.
- ◆ Only benefit eligible Associates are eligible for STD.
- ◆ For further information regarding STD, please visit the Short Term Disability policy on Trovato under Human Resources policies. If there are any questions, please email the Benefits Department in Human Resources at [benefitsdept@spencergifts.com](mailto:benefitsdept@spencergifts.com) or call 800.284.4737, option #4.

## **Long Term Disability (LTD)**

Spencer's Store Managers are eligible for Long Term Disability (LTD). LTD allows you to receive 60% of your monthly salary as long as you are totally disabled.

- ◆ LTD payments are integrated with other sources of disability income such as Social Security Insurance.
- ◆ LTD insurance becomes effective after six months of continuous disability.
- ◆ For more information regarding LTD, please contact the Benefits Department in Human Resources at [benefitsdept@spencergifts.com](mailto:benefitsdept@spencergifts.com) or 800.284.4737, option #4.

## **Flexible Spending Account (FSA)**

Spencer's FSA is designed to reimburse eligible Associates for out-of-pocket healthcare expenses and their eligible dependents (spouse and children). There is no federal income tax, Social Security or Medicare taxes, and most state taxes on the benefits received.

- ◆ When a FSA account is set up (the minimum is \$130 per year, the maximum is \$2,750 per year), the FSA Participant will decide the amount which will be deducted every pay period from their paycheck, up to the maximum allowed of the plan. The contributions to the personal flexible spending account are made before any taxes (payroll or income) are taken from their earnings.
- ◆ FSA participants can now carry over up to \$550 of the unused remaining balance left in their individual FSA account. The carry over balance will be available after the claims "run out" period, which is March 31<sup>st</sup> of the following year.
- ◆ Benefit eligible Associates are able to participate whether or not they are enrolled in a Spencer's health care plan or have coverage elsewhere.
- ◆ An additional listing of eligible expenses can be found at [www.SpendingAccounts.info](http://www.SpendingAccounts.info).
- ◆ FSA Eligibility is equal to the Medical/Dental/Vision eligibility Guidelines.
- ◆ If an Associate's employment terminates or the Associate is demoted to a non-benefit eligible position, the Flexible Spending Account will end on the date the event occurs.
- ◆ FSA program is posted on the office side of Trovato under Documents/General Docs and Forms/Human Resources/Associate Benefit Programs.

**For further information regarding FSA, please contact WageWorks Solution Center 800.228.5762 or Spencer's Benefits Department 800.284.4737, option #3.**

# Leaves of Absence

Spencer's recognizes that from time to time that Associates may require a leave of absence to attend to certain situations. Therefore, the Company grants leaves of absence in accordance with applicable law and as reflected in the provisions of the Leave of Absence Policy. Any Associate requiring a leave of for authorization for this leave. Store Management Associates are not permitted to grant any type of leave without the written authorization of Human Resources.

- ◆ Any Associate, who is going to be out beyond 15 calendar days and is eligible for any entitlement (job protection or short term disability), will be eligible for a leave of absence. Those Associates, who are **not eligible** for any entitlement (job protection or short term disability), will be terminated by Human Resources. When and if the Associate is able to return to work, they would be eligible for rehire.

## **Family Medical Leave Act:**

- ◆ The Company will provide unpaid leave to an Associate, if there is a need to be absent from work, because of their own serious health condition, to care for a seriously ill family member or for the birth, adoption or foster care placement of a child pursuant to the Federal Family and Medical Leave Act.
- ◆ An Associate may be eligible for FMLA leave, if they have been employed with Spencer Gifts LLC for at least 12 months, worked at least 1,250 hours during the 12 month period immediately prior to the date they want to begin their leave and work in a location where the Company employs 50 or more employees within 75 miles.
- ◆ If an Associates takes FMLA leave for their own serious health condition, that leave will run concurrently with any period during which they may receive either State Disability Benefits and/or Short-Term Disability Benefits under the Company's Short-Term Disability Policy, if applicable.

## **Military Leave**

- ◆ For Military Leave, the Store Manager or District Sales Manager must obtain a copy of the Associate's Military orders **BEFORE** the Associate leaves for duty. A copy of the orders **must** be sent to the Benefits Department in Human Resources.
- ◆ If the benefit eligible Associate has medical/dental insurance through SPENCER GIFTS LLC, they will be responsible to continue to pay their portion of medical/dental premiums during their leave.
- ◆ Upon return from military leave, the Associate will be reemployed in their same or a similar job with the same status, pay and benefits.



**For more information, please email the Benefits Department in Human Resources at [benefitsdept@spencergifts.com](mailto:benefitsdept@spencergifts.com) or call 800.284.4737, option #4.**

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